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# Statistical Report

## Fiscal Year 1992



93-053118

# Statistical Report

## Fiscal Year 1992







U.S. Department of Justice

Environment and Natural Resources Division

Office of the Assistant Attorney General

Washington, D.C. 20530

## INTRODUCTION

*I am delighted to present the Environment and Natural Resources Division's annual statistical report for fiscal year 1992.*

*Information in this report was extracted from the Attorney Timekeeping System, which contains time billed on cases and categories by attorneys and paralegals, and the Lands Docket Tracking System (LDTs), a comprehensive information system which tracks all Division cases and matters from the time of inception through final disposition.*

*The report begins with a summary of significant achievements and accomplishments of the Environment Division for fiscal year 1992 and is followed by monetary awards in civil and criminal cases and appellate outcomes. The report continues with detailed data relating to openings, closings, and filings. How the Division spends its time is then identified by statute, case type, client agency, and district for each of the sections. Cases with most time billed in fiscal year 1992 is provided as well. The report concludes with an analysis of the average time the Division can reasonably expect certain types of cases to remain active.*

*As illustrated in this report, the Environment Division, along with the United States Attorneys' Offices and our client agencies, can be proud of the many accomplishments this year. Among other things, fiscal year 1992 represents the first time in history in which the courts awarded over \$2 billion in fines, penalties, and other assessments. In addition, fiscal year 1992 produced the sizeable win in the Exxon Valdez litigation, as well as increases in favorable rulings by the trial and appellate courts in other cases.*

*These achievements could not have been possible without the dedication, hard work and perseverance of all Division employees and the combined litigation effort of the talented and experienced personnel in the United States Attorneys' Offices and our client agencies.*

Myles E. Flint

Acting Assistant Attorney General  
Environment and Natural Resources Division

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## THE DIVISION

*The Environment and Natural Resources Division, formerly known as the Land and Natural Resources Division, was created on November 16, 1909, as the Public Lands Division. For the first fifty years, the Division's litigation was primarily concerned with federal lands, water and Indian disputes. As the nation grew and developed, the Division's areas of responsibility expanded to include litigation concerning the protection, use and development of the nation's natural resources and public lands, wildlife protection, Indian rights and claims, cleanup of the nation's hazardous waste sites, the acquisition of private property for federal use, and defense of environmental challenges to government programs and activities. Staffing over 600 employees in Washington, D.C., Anchorage, Chicago, Denver, Sacramento, San Francisco and Seattle, the Division is the nation's environmental lawyer, and the largest environmental law firm in the country. (See the following chart for an allocation of these positions.)*

*The Division is organized into nine litigating sections with different areas of expertise and an Executive Office. The Appellate Section handles appeals culminating from the litigating sections, as well as various matters originating in the courts of appeals, and assists the Solicitor General when the Division's cases reach the Supreme Court. Environmental litigation is handled principally in the Environmental Crimes Section which prosecutes criminal environmental cases, the Environmental Defense Section which defends EPA's rulemakings and administrative actions against challenge and defends all agencies of the government in litigation under the pollution control laws, and the Environmental Enforcement Section which enforces the nation's environmental laws. The General Litigation Section conducts prosecutorial and defensive litigation involving federal property and natural resources not subject to one of the Division's specialized sections, and defends claims filed by Indian tribes against the United States. Indian litigation is also handled in the Indian Resources Section which litigates either to defend Indian interests or prosecutes on their behalf. The acquisition of property for Congressionally authorized purposes is handled by the Land Acquisition Section. Providing policy formulation and advice on legislation is the Policy, Legislation, and Special Litigation Section which serves as special counsel to the Assistant Attorney General, acts as liaison with interagency working groups, monitors citizen suits under the environmental laws and participates as amicus curiae, when appropriate. Prosecuting and defending criminal and civil cases arising under the federal fish and wildlife laws is the Wildlife and Marine Resources Section. Lastly, the Executive Office serves as administrator to the Division on financial management, personnel, automated systems, debt collection, litigation support, space acquisition and management, and procurement.*



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**FY88 - FY92**  
**Division Personnel Growth**  
**(Total Number of Personnel at the End of Each Fiscal Year)**

LITIGATING SECTION	FY 1988	FY 1989	FY 1990	FY 1991	FY 1992
Appellate	29	30	29	31	31
Environmental Crimes	27	33	45	46	45
Environmental Defense	56	56	60	69	76
Environmental Enforcement	180	191	206	254	253
General Litigation	77	80	82	90	88
Indian Resources	13	13	13	14	15
Land Acquisition	28	28	28	28	29
PLSL	11	15	17	18	17
Wildlife and Marine Resources	16	15	15	16	17
EXECUTIVE OFFICE	38	44	52	55	63
Total	475	505	547	621	634

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## **FY92 SIGNIFICANT ACHIEVEMENTS AND ACCOMPLISHMENTS**

### **WORKLOAD**

- On September 30, 1992, the Division had 15,017 pending cases and matters, including 792 cases on appeal. There were 3,448 new cases and matters received during the year, and 5,548 cases and matters closed.
- During FY92, 1,657 civil and criminal actions were filed (both defensive and affirmative), including 427 condemnation proceedings, 342 General Litigation cases, and 300 Environmental Enforcement cases.

### **JUDGMENTS & SETTLEMENTS**

- During FY92, awards in civil affirmative litigation produced \$384 million in debts owed the United States. This included \$197.2 million in Superfund cost recovery (exclusive of interest); \$60.4 million in civil and stipulated penalties (the largest figure ever reported), of which \$1.3 million was awarded in citizen enforcement suits; \$72.1 in natural resource damages; \$23.5 million in cost recovery to the Corps of Engineers for a construction project in State of Oklahoma; \$16 million in uncollectible penalties in fire suppression and surface mining cases; \$9.7 million in interest, attorneys' fees, court costs, damages, royalty payments and other fees; and \$5 million in damages awarded to the United States on behalf of various Indian tribes for destruction to Indian tribal lands. An additional sum of \$851 million was awarded for natural resource damages resulting from the Exxon Valdez oil spill (including \$699.9 million owed jointly to the United States and the State of Alaska, \$93 million owed directly to the court registry for later disbursement, and \$58 million owed to the State of Alaska); and \$10.5 million was awarded to various states in penalties, interest, cost recovery, and damages. This represents a total of \$1.2 billion in awards for civil affirmative litigation.
- In addition to awards to governmental entities, during FY92, defendants in Environmental Enforcement cases were ordered to spend an additional \$893.7 million in clean-up activities, bringing the total value for civil affirmative litigation to over \$2 billion.
- For criminal cases handled in the Environmental Crimes and Wildlife and Marine Resources Sections, a total of \$163.5 million in fines, restitution, and special assessments was rendered in FY92, including \$125 million (\$50 million to the State of Alaska) which was awarded in the Exxon Valdez litigation. In addition, there were 255 indictments/informations filed, 153 pleas/convictions and 81 years' incarceration time imposed (including supervised release time).

- ° During FY92, the Land Acquisition Section handled just compensation claims of over \$119.4 million for properties comprised of approximately 31,680 acres, which government contract appraisers valued at \$56.9 million. This difference was the critical issue in the Section's lawsuits. Courts awarded judgments in these cases totaling \$73.4 million, representing a savings to the United States of \$46 million of the \$62.5 million at issue.

## COLLECTIONS

- ° Debts collected by in-house staff and client agencies for FY92 totaled \$212 million (civil and criminal), compared with FY91 collections of \$106.5 million. This represents an increase in staff and agency collections of \$105.5 million.
- ° Debts collected by in-house staff for FY92 amounted to \$89.5 million (civil and criminal), compared with FY91 collections of \$5.7 million, an increase of \$83.8 million. Of that amount, \$24.5 million was collected for natural resource damages in the Exxon Valdez civil litigation, and \$63 million was collected in criminal fines and restitution in the same case.
- ° Agency collections of Environment Division debts for FY92 amounted to \$122.5 million (civil and criminal), compared with FY91 agency collections of \$100.8 million. This represents an increase in agency collections this fiscal year of \$21.7 million.

## TIMEKEEPING

- ° During FY92, attorneys and paralegals billed 463,570.75 hours prosecuting civil and criminal

affirmative cases. The total time billed for all cases and matters during this period was 753,432 hours. Thus, affirmative litigation consumed 62% of the total time worked by attorneys and paralegals. By way of comparison, affirmative litigation comprises only 28% of the entire caseload of the Division. Yet, a disproportionate amount of time is billed to these types of cases, as compared with other case types.

- ° During FY92, 564,810.75 hours were billed to cases referred by the Environmental Protection Agency and the Department of the Interior. This represents 75 percent of the total case time expended by the attorneys and paralegals in the Division.

## CASES AND MATTERS

### — Civil Affirmative Litigation —

United States v. Exxon Corporation and Exxon Shipping Company (D. Ak.) -- On October 8, 1991, the United States District Court for the District of Alaska entered the consent decree settling the United States' claims for violations of the Clean Water Act, in conjunction with the massive Exxon Valdez oil spill in Alaska's pristine Prince William Sound in 1989. Under the agreements, the defendants are required to pay a total of at least \$900 million to the United States and the State of Alaska, to reimburse all of the governments' cleanup and damage assessment costs and to restore, replace, or acquire the equivalent of the natural resources affected by the spill. This amount will be paid over 10 years, reflecting the governments' expectation that the restoration will require many years of effort. The decree also contains a "reopener" provision requiring Exxon to pay up to an additional \$100 million to the governments for restoration of presently unknown and



unanticipated injury to populations, species, or habitats. The decree further requires Exxon to perform any oil spill cleanup work remaining to be done in accordance with the governments' direction. To date, Exxon has paid the initial \$90 million due under the civil decree.

United States v. Montrose Chemical Corp. (C.D. Cal.) -- On August 10, 1992, counsel for the parties settled the liability of over 150 local government entities in this action. The litigation was brought on behalf of federal and state natural resource trustees, seeking damages under Section 107(a)(4)(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for injury to natural resources from DDT and PCB contamination in the ocean near Los Angeles. The suit also includes a second claim for relief brought by the United States on behalf of EPA for response costs in connection with the Montrose Chemical Corporation Plant Site, an NPL-listed Superfund site. Under the proposed consent decree, these entities will pay the trustees \$42.4 million for natural resources damages in five installments over the next 4 years. They will also make one payment of \$3.5 million to EPA for response costs at the site.

United States v. Fisher (S.D. Fla.) -- On July 23, 1992, the United States District Court granted the United States' application for a preliminary injunction against Melvin A. Fisher, Kane Fisher and Salvors, Inc. The defendants are shipwreck treasure hunters and operate their company, Salvors, Inc., out of Key West, Florida. This action was initiated in April 1992 when the United States filed a complaint and an application for preliminary injunction against the defendants for violations of the Marine Protection, Research, and Sanctuaries Act (MPRSA). The defendants blasted 100 holes in the seabed in the Coffins Patch area of the Florida Keys National Marine Sanctuary in their search for treasure during January through April 1992. The court recommended barring the

defendants from using prop wash deflectors in the sanctuary, but did not recommend barring defendants from using other salvage techniques in the sanctuary.

Multi-Industry Enforcement Initiative -- In September 1992, the Environmental Enforcement Section participated in an EPA/DOJ initiative against three industries found by EPA to have the highest incidence of noncompliance with environmental statutes. Thirteen separate civil judicial cases in eleven states were filed and/or settled with pulp and paper manufacturers and metal manufacturers and smelters. The final component, involving organic metals manufacturers, was entirely administrative and handled by EPA. The total money recovered thus far amounts to \$5.8 million.

In re National Gypsum Co. -- (N.D. Tex.) On May 28, 1991, the United States filed a proof of claim in this bankruptcy action to recover past costs and natural resource damages associated with seven facilities at which National Gypsum was an owner, generator, or operator. During FY92, the United States recovered \$850,000 for five facilities in which National Gypsum had minimal involvement. As to the two remaining operable sites, the Environmental Enforcement Section had its first estimation hearing in bankruptcy which culminated in the resolution of EPA past and future response costs and natural resource damages and an award of \$9.7 million. In addition, National Gypsum has agreed in principle to include in its reorganization plan an additional million dollars in unsecured claims for one of the sites and to pay \$2 million in cash and allow an additional unsecured claim in the amount of \$10 million for the other site. A settlement is now being finalized.

United States v. Butte Water Co. (D. Mont.) -- On December 20, 1991, the United States filed suit against Butte Water Company for enforcement of the Safe Drinking Water Act, seeking an injunction and civil penalties for



violations of the National Primary Drinking Water regulations. On May 31, 1992, the United States filed an application for a pre-judgment writ to garnish the proceeds of the sale of the assets of the Butte Water Company (approximately \$3 million). On June 1, 1992, the court approved the United States' application and signed the proposed garnishment order, which permits the United States to garnish the full statutory maximum amount of our penalty claim of over \$21 million. On June 2, 1992, before service of the writ on the bank, BWC transferred approximately \$3.5 million to separate accounts in violation of the court's order. On June 4, 1992, the United States notified the court of this fact and filed a supplemental application for writ. The court's orders garnishing the funds are still in effect pending review of the parties' cross motions. In the meantime, the United States negotiated a successful settlement with Silver Bow Water, Inc., the new owner and operator of the Butte water system for injunctive relief, requiring Silver Bow to construct two drinking water filtration facilities on an expedited schedule, and mitigate turbidity in the Butte water system until the filtration plants are completed. The consent decree was entered by the court on May 15, 1992. Under the terms of the settlement, Silver Bow is required to achieve complete compliance with the SDWA and the national primary drinking water regulation by December 31, 1994. The United States is continuing to pursue Butte Water for civil penalties for the SDWA violations. On July 6, 1992, the United States filed an extensive motion for partial summary judgment on liability. The court has not yet ruled on this motion.

United States v. Dexter Corp. (D. Conn.) -- The United States District Court of Connecticut entered a consent decree providing for payment of \$9 million in civil penalties and injunctive relief to resolve pending Clean Water Act and Resource Conservation and Recovery Act (RCRA) claims against Dexter Corporation, Windsor Locks, Connecticut. Of the \$9 million civil

penalty, \$7.2 million will be paid for the Clean Water Act violations and \$1.8 million will be paid for the RCRA violations. The \$7.2 million Clean Water Act penalty is the highest penalty to be paid for violations under this statute.

United States v. AVX Corp. (D. Mass.) -- The United States entered into a final settlement agreement in the long standing AVX litigation. The final consent decree in the New Bedford Harbor Superfund litigation is with the remaining two defendants, Federal Pacific Electric Company (FPE) and Cornell-Dubilier Electronics, Inc. (CDE). Under the terms of this final settlement, FPE and CDE will pay \$21 million to the United States, on behalf of EPA, the National Oceanic and Atmospheric Administration (NOAA), and the Commonwealth of Massachusetts. In combination with two prior agreements negotiated by the United States in this case, the governments are recovering approximately \$106 million toward cleanup and restoration of the Harbor.

United States v. Charles George Trucking Co. (D. Mass.) -- The United States and the State of Massachusetts reached agreement with the defendants in this Superfund cost recovery action to recover past and future response costs in cleaning up the Charles George Landfill in Massachusetts, a 69-acre landfill that accepted domestic refuse from 1955 until the late 1960s. The defendants will pay \$31.1 million in response costs and \$1.2 million in natural resource damages.

United States v. JMB/Urban Development Co., et al. (S.D. Ohio) -- The United States sued one of the Nation's biggest real estate development companies, alleging that it had filled or otherwise damaged approximately 37 acres of wetlands, without obtaining the permit required by Section 404 of the Clean Water Act in connection with a planned shopping mall in Columbus, Ohio. The decree, negotiated by the Environmental Defense Section, provides for JMB

to create 75-80 acres of high-quality wetlands at a site near the violation area, which will be maintained by the local school district as an educational opportunity for school children. In addition, JMB must pay \$200,000 in civil penalties -- one of the highest figures ever assessed in a wetlands case in EPA's Midwest Region. (It should be noted that six-figure civil penalties are rare in wetlands enforcement.)

United States v. Krilich (N.D. Ill.) -- The Environmental Defense Section entered into a consent decree against a large land developer who filled several acres of wetlands at two separate sites in the Chicago suburbs for a golf course and other construction projects. The violator in this case agreed to restore some of the disturbed wetlands, and where restoration was not feasible, to "mitigate" wetlands loss by creating or enhancing other wetlands at a very favorable ratio of two "mitigation" acres for every acre lost. Further, Krilich will pay one of the larger penalties recorded in this EPA Region for a Section 404 violation -- \$185,000.

United States v. Biggi (D. Ore.) -- The Environmental Defense Section negotiated a successful resolution of a wetlands violation in Oregon providing for extensive restoration, enhancement and creation of wetlands to remedy the loss of the resource. The defendants filled five acres of high-quality wetlands on a parcel which is set to be condemned for a local transportation project. The Biggis agreed to "mitigate" the lost wetlands at five separate sites on or near the stream affected by their violation, and to pay a \$10,000 civil penalty.

#### **-- Criminal Litigation --**

United States v. Exxon Corporation and Exxon Shipping Company (D. Ak.) -- The Environmental Crimes Section, together with an Assistant United States Attorney for the District of Alaska, represented the United States in the prosecution

of the Exxon Corporation and Exxon Shipping Company, for criminal violations arising out of the oil spill of the Exxon Valdez, when it ran aground in Prince William Sound on March 24, 1989. The parties entered into a plea agreement and consent decree on March 22, 1991, which was then rejected by District Judge Holland on April 24, 1991. Thereafter, the parties continued preparing for trial. The parties then entered into a second plea agreement which was approved by Judge Holland on October 8, 1991. Exxon Corporation pled guilty to one count of the Migratory Bird Treaty Act (MBTA). Exxon Shipping Company pled guilty to counts under the Clean Water Act, the Refuse Act and the MBTA. At the time of the plea, Judge Holland sentenced the defendants in accordance with the plea agreement, which provided for combined criminal and civil fines, penalties and other recovery totaling \$1.125 billion, of which \$125 million constituted criminal penalties and restitution.

United States v. Rockwell International (D. Colo.) -- Rockwell International Corporation pled guilty on March 26, 1992, to a ten-count information charging four felony counts under RCRA (illegal storage and treatment of hazardous wastes generated at DOE's Rocky Flats' nuclear weapons facility), one felony Clean Water Act count (knowing discharge of pollutants in violation of a permit), and five misdemeanor Clean Water Act counts (negligent discharge of pollutants in violation of a permit). On June 1, 1992, Judge Finesilver accepted a plea agreement and sentenced Rockwell in accordance with the agreement to \$18.5 million in criminal penalties; \$2 million of the criminal fine is to be remitted to the State of Colorado to settle State claims against the company in connection with Rockwell's operation of Rocky Flats.

United States v. U.S. Sugar (S.D. Fla.) -- In December 1991, U.S. Sugar, Inc., pled guilty to an eight-count RCRA felony information (six counts of illegal disposal of hazardous wastes



and two counts of illegal transportation of ignitable waste). On February 3, 1992, pursuant to a plea agreement filed on December 10, 1991, U.S. Sugar was sentenced to a fine of \$3.75 million plus an assessment of \$1,600.

United States v. Chevron U.S.A., Inc. (C.D. Cal.) -- A criminal information/plea agreement and civil consent decree were filed on May 18, 1992. Chevron pled guilty to 65 misdemeanor counts under the Clean Water Act for the unauthorized discharge of oil and grease wastes and sandblasted paint wastes from the Chevron Oil Drilling Platform Grace in the Santa Barbara Channel of Ventura. The guilty plea also included the illegal dilution of wastewater prior to required sampling, concealment of test results through selective sampling, and the bypassing of wastewater treatment equipment. Under the plea agreement, Chevron agreed to pay a fine of \$6.5 million and under the consent decree it agreed to pay a civil penalty of \$1.5 million, as well as agreeing to stipulated penalties for any future violations.

United States v. Pacific Enterprises Oil Company (D. Wyo.) -- On January 22, 1992, Pacific Enterprises entered a guilty plea to eight misdemeanor counts under the Federal Land Policy Management Act (FLPMA) for illegal disposal of hazardous waste, chemicals, and drums at three oil fields leased from the Federal Government. The company agreed to a \$1.6 million fine and restitution by the conveyance of 1,000 acres of land along the Green River to the Federal Government. The company was also ordered to submit audits regarding the rest of its land concerns in Wyoming, to bring other fields into compliance, and to pay the cost of cleanup and remediation.

United States v. Baytank, et al. (S.D. Tex.) -- On March 23, 1992, guilty pleas by Baytank and three individual defendants were accepted by Judge Lynn Hughes, and \$1.1 million in penalties were imposed against the defendants.

Pursuant to the plea agreement, Baytank was sentenced to a \$1 million fine for six Clean Water Act violations which occurred between 1983 and 1986, and one CERCLA conviction for failure to report the release of a hazardous substance. Former Executive Vice-President, Havaar Nordberg, and Roy Johnsen, Baytank's operations manager, were each sentenced to a \$40,000 fine for their guilty pleas to two Clean Water Act violations. Donald Gore, Baytank's technical manager, was sentenced to a \$20,000 fine for one Clean Water Act violation.

Operation Whiteout -- In January 1992, after a 2-year undercover investigation by the Fish and Wildlife Service, 29 defendants were indicted in Anchorage, Alaska, on criminal charges involving wildlife and drug offenses, involving illegally traded walrus ivory by both natives and non-natives. Twenty-five of the defendants have been tried and convicted or have pled guilty. Although native Alaskans are allowed to take walrus for subsistence purposes, including use of the ivory from walrus tusks to make authentic native handicrafts, they may not do so in a wasteful manner. Unfortunately, "headhunting," the wasteful killing of large numbers of walrus only to take ivory and a few commercially valuable organs, sometimes occurs. In addition, native and non-native dealers sometimes illegally take raw and carved ivory or polar bear hides in exchange for money or drugs. The investigation in Operation Whiteout identified such transactions, led to the trials of perpetrators and will serve as a deterrent to future illegal activity. All defendants convicted of both Lacey Act and drug felonies were sentenced to approximately 1 year in prison.

United States v. Distant Water (D. Ak.) -- The Wildlife Section was successful both in obtaining a major settlement in this forfeiture action against a fishing vessel seized for fishing in an area of the Bering Sea closed to protect walrus haul-out areas, and in defending the validity of the regulations establishing these protected

zones. The Distant Water was one of several large factory trawler vessels that fish for groundfish in the Bering Sea off of Alaska. Fishing operations are regulated by the Department of Commerce under the Magnuson Fishery Conservation and Management Act. The agency had promulgated regulations under the statute excluding vessels like the Distant Water from fishing in areas around certain islands used by walrus to haul themselves out of the water during certain times of the year. After a Coast Guard investigation revealed that the Distant Water and other vessels had been fishing in the unauthorized area, and forfeiture actions were initiated, the vessel owners claimed that the regulations were invalid. The District Court in Alaska was not persuaded, and a settlement favorable to the United States was entered.

**— Eminent Domain —**

United States v. 173.76 acres (Werner) (N.D. W.Va.) -- This was a taking of 174 acres on behalf of the National Park Service for the Appalachian National Scenic Trail. At trial, the property owner presented valuation testimony of \$10.7 million, claiming the highest and best use of the property was for a ski resort. In opposition, the government presented valuation testimony of \$211,000, contending that the highest and best use of the property was not for a ski resort but for prestigious residential development. The court, persuaded by the government's evidence, awarded just compensation of \$395,000.

The United States secured very favorable settlements of two major cases in Hawaii which had been brought on behalf of the Fish and Wildlife Service for the establishment of wildlife preserves. In United States v. 15,715.54 acres situated in Hawaii County, State of Hawaii, we negotiated a settlement of \$10 million, where the government's appraisal was \$9 million and the owner's claim was \$15 million. The second is

United States v. 436.97 acres situated in the County and Island of Maui, Hawaii, an acquisition of a 436.97-acre wetlands property containing the largest natural pond in Hawaii. The landowner claimed compensation of \$25 million based on a hypothetical "conceptual plan" to develop the condemned property, along with adjoining lands, as a residential/resort complex. The government's position was that the land was undevelopable and worth something less than \$2 million. The case was settled on a favorable basis: the owner would donate an adjacent parcel of 263 acres of upland (for a total acquisition of 700 acres) for a payment of \$6.9 million.

Washington Metropolitan Area Transit Authority v. One Parcel of Land (Trilon Plaza) (D.C. D.C.) -- This was a taking of certain temporary easements in the parking lot of an office and shopping mall complex needed for construction of a subway station. The parties stipulated to the value of the easements taken (\$72,042), but litigated the owner's claim of severance damages to the remaining property of \$7.5 million. Our position and testimony at the trial was that there were no damages to the remaining property. In a complete victory for the government, the court awarded the owner ZERO damages.

United States v. 15,320 Acres in San Diego County, etc. (S.D. Cal.) -- This condemnation action was brought for the purpose of quieting title to 15 acres of filled tidelands in downtown San Diego, owned by the United States, that had been conveyed to the United States years ago by the city with authorization from the State. The State claimed that the property remained subject to the "tidelands trust" easement, which would give the State the right to control the government's use of the property. The State's claim was thwarting the Navy Department's plan for redevelopment of the property in a joint private/public venture pursuant to which the Navy would secure needed office space at no cost to the taxpayer. The district court ruled in the



government's favor, holding that the United States' ownership of the property is not restricted by the "tidelands trust" interest, freeing the property for development.

#### **-- General Litigation --**

National Coal Association v. Lujan (D. Colo.) -- On February 28, 1992, a district court affirmed Interior's interpretation of what constitutes "gross proceeds" for purposes of computing the royalty payment that is owed to the United States for minerals that are produced on federal land. That favorable ruling represented collections of \$32 million in royalties annually. Because the decision affects all Federal lessees, it is a very significant ruling.

United States v. South Florida Management District, et al. (S.D. Fla.) -- After 3 years of expensive and acrimonious litigation, the Attorney General and the Governor of Florida announced that a settlement had been reached in a suit brought by the United States against two State parties to ensure that water reaching Everglades National Park and Loxahatchee National Wildlife Refuge would comply with State law. The settlement charts out in detail the nature of the ecological harm to the Park and the Refuge, the steps that the State must take over the next 10 years to repair, restore, and protect the Park and the Refuge, and the water quality that must be attained for the future. It has been hailed by many as a "landmark" achievement and "model" for the resolution of other similar disputes.

#### **-- Indian Litigation --**

United States v. Jenna Corporation of Wisconsin and Glenn V. Corrie, et al. (D. Wisc.) -- On May 11, 1992, the United States District Court for the Western District of Wisconsin entered judgment in favor of the United States, and

against Jenna Corporation of Wisconsin and Glenn V. Corrie for nearly \$2 million. The defendants had entered into a gambling management contract with the Wisconsin Winnebago Tribe, but had failed to procure approval of the contract by the Secretary of the Interior as required by 25 U.S.C. 81. Under the statute, contracts with an Indian Tribe that are not approved by the Secretary of the Interior are "null and void" and all money paid to the non-Indian contractor may be recovered by the United States for the Tribes. The amount recovered represents the monies Jenna Corporation had taken out of the gaming operation since May 5, 1990.

United States obo Torres-Martinez Band of Mission Indians v. Imperial Irrigation District and Coachella Valley Water District (S.D. Cal.) On August 25, 1992, the Federal District Court in San Diego, California, issued a final judgment ordering defendant Imperial Irrigation District to pay to the United States, as trustee for the Torres-Martinez Band of Mission Indians, damages totaling \$2.8 million, and defendant Coachella Valley Water district to pay damages totaling \$212,908. In this lawsuit, which culminated in a 3-1/2 week trial in June 1992, the United States asserted that the two irrigation districts wrongfully had flooded Indian trust lands located within the Torres-Martinez Indian Reservation for decades by virtue of their discharges of previously stored waters into the Salton Basin. Defendant Imperial Irrigation District has filed motions for a new trial and to amend the judgment.

#### **-- Appeals --**

Mesa Operating Limited Partnership v. Department of the Interior (5th Cir.) -- Here, the court of appeals upheld the Secretary of the Interior's methodology for calculating the amount of royalties payable to the Federal Government for natural gas produced on federal land. In the



short term, Interior has informed us that this decision will mean an additional payment by the lessees to the Treasury of some \$500 million in royalties. Over time, the payments are certain to be even greater because of the many producing leases on federal land.

**Matter of Penn Central Transportation Company** (3rd Cir.) -- In this dispute over allocating the costs for cleaning up a PCB-contaminated rail yard, the court of appeals held that a reorganized corporation could be liable for the activities of its predecessor corporation, even though the bankruptcy court had discharged the debts of the bankrupt corporation. By adopting the government's view of liability, the court has made it more difficult to invoke the protection of the bankruptcy court as a bar to finding liability for acts that occurred prior to bankruptcy but could not have been presented to the bankruptcy court. As a result, reorganized entities are expected to pay substantial sums to reimburse EPA for costs that it expended to clean up hazardous waste sites.

**Communities, Inc. v. Skinner** (6th Cir.) -- The Appellate Section repulsed a challenge to a major airport expansion project in Louisville, Kentucky. The project was designed to expand significantly the airport's capacity, thereby enabling a major air cargo carrier to increase its Louisville operations. By demonstrating to the court that the Federal Aviation Administration (FAA) had complied with all of its environmental responsibilities when it approved the project, we were able to insure that this economic stimulus to the Louisville economy will go forward, uninterrupted.

**Seattle Federation v. Skinner** (9th Cir.) -- In Seattle, the Appellate Section successfully defended the FAA's major revisions to the air traffic routes serving the Seattle-Tacoma region and the international airport located there. The issue in this case was whether the FAA had properly studied the potential noise impacts from

these air traffic changes. In ruling that the FAA had satisfied all of its environmental obligations, the court declined to invalidate a comprehensive air traffic reorganization designed to improve the safe and efficient handling of aircraft in that region's airspace.

## POLICY INITIATIVES

The Policy, Legislation and Special Litigation Section (PLSL) launched and participated in several major policy initiatives in supporting the North American Free Trade Agreement (NAFTA) negotiations. In 1992, just after NAFTA negotiations concluded, the Division proposed to the Attorney General that all Law Enforcement Coordinating Committees, which are formed in each United States Attorney's Office to coordinate federal, state and local enforcement cooperation, be urged to create Environmental Subcommittees. We also suggested that the Environment Subcommittees in districts bordering Mexico and Canada invite counterpart officials from across the border. This would greatly enhance bi-national environmental enforcement efforts. The Attorney General endorsed the proposal, and United States Attorneys' Offices have begun to implement it. PLSL also helped draft the 1992 United States-Mexico "Border Plan," a wide-ranging series of commitments by both governments aimed at preventing further border environmental degradation as a result of NAFTA. With EPA and the State Department, the Department became a member of the United States-Mexico Enforcement Work Group formed as part of the Border Plan. The Work Group meets regularly to ensure better environmental cooperation between the two governments.



# **Section 1**

## **Case Outcomes**





# FY92 DIVISION CRIMINAL CASE ACTIVITY

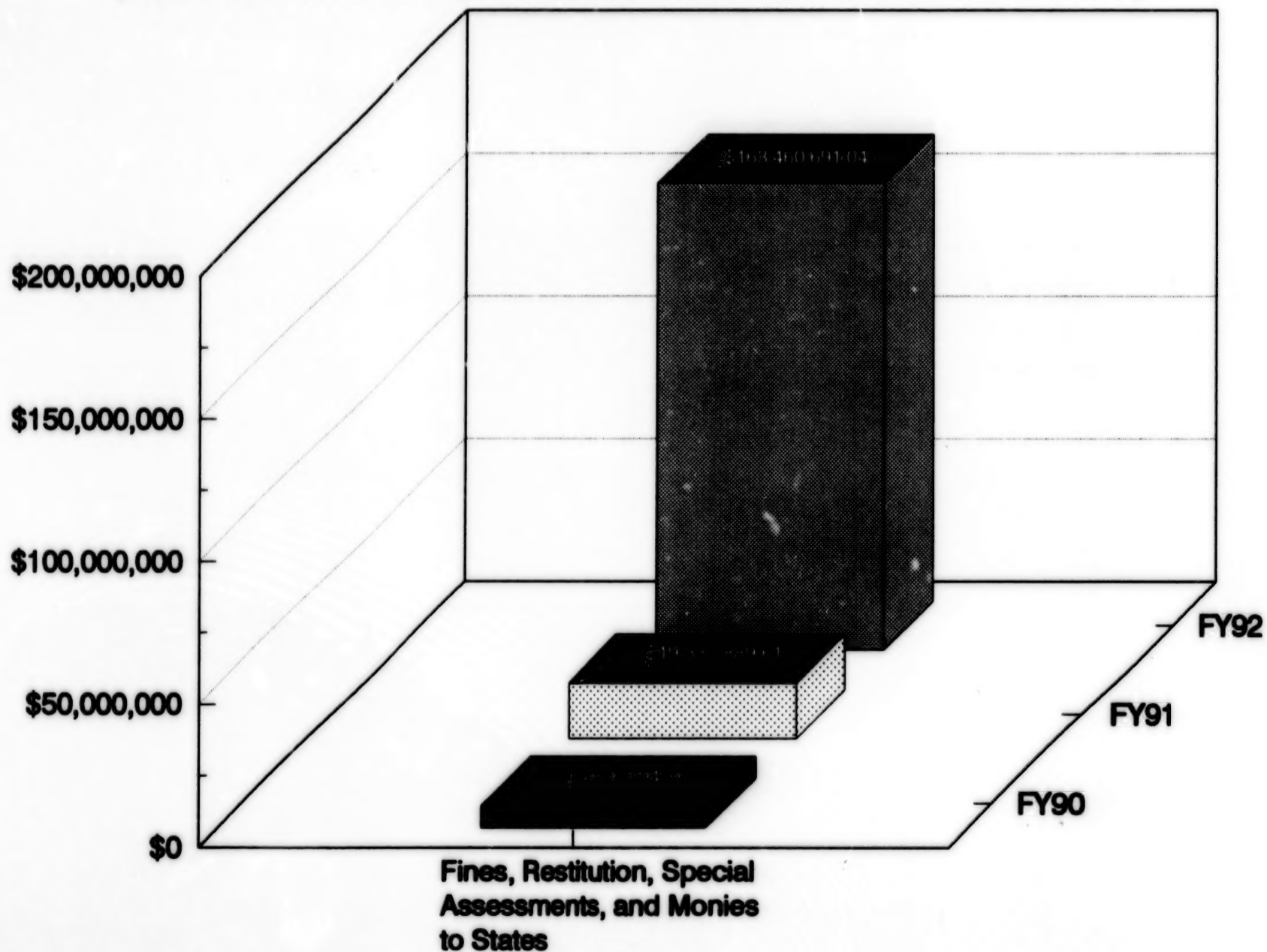
Event	SECTION		Total
	Env. Crimes	Wildlife	
<b>FILINGS</b>			
Complaints	0	0	0
Indictments	132	44	176
Informations	<u>55</u>	<u>24</u>	<u>79</u>
Total	187	68	255
<b>OUTCOMES</b>			
Fines	\$ 56,652,150.00	\$ 71,815.00	\$ 56,723,965.00
Restitution	51,232,342.00	237,634.52	51,469,976.52
Court Costs	.00	25.00	25.00
Special Assessments	6,625.00	1,540.00	8,165.00
Monies to State	55,249,909.52	.00	55,249,909.52
Defendant Clean-Up	<u>8,650.00</u>	<u>.00</u>	<u>8,650.00</u>
Total	\$ 163,149,676.52	\$ 311,014.52	\$ 163,460,691.04
<b><u>BY DEFENDANT</u></b>			
Convictions/Pleas	88	26	114
Acquittals	2	2	4
Dismissals	10	4	14
Other	<u>1</u>	<u>0</u>	<u>1</u>
Total	101	32	133
<b><u>BY COUNT</u></b>			
Convictions/Pleas	101	52	153
Acquittals	2	4	6
Dismissals	10	23	33
Other	<u>1</u>	<u>0</u>	<u>1</u>
Total	114	79	193
<b>INCARCERATION/PROBATION</b>			
Prison			
Years	31	20	51
Months	11	0	11
Supervised Release			
Years	7	21	29
Months	8	5	1
Probation			
Years	86	28	114
Months	1	0	1
<b>CONVICTION RATE*</b>	87%	81%	86%

\* Conviction rate is calculated by dividing the total number of defendants with a disposition of "convictions/pleas" by the total number of defendants with a disposition.



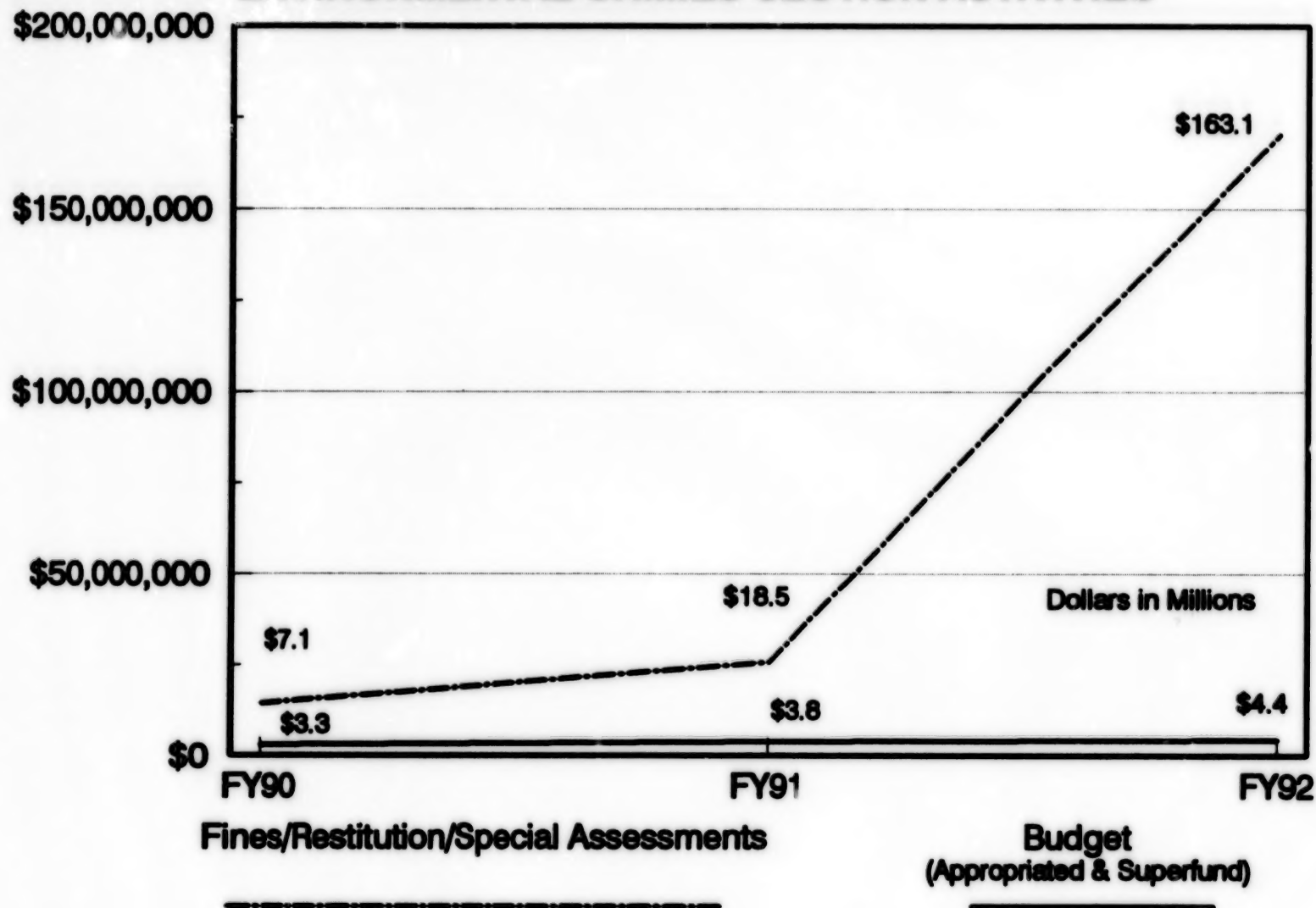
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**FY90 - FY92**  
**DIVISION CRIMINAL AWARDS**  
 (ENVIRONMENTAL CRIMES AND WILDLIFE AND MARINE RESOURCES SECTIONS)



**FY90 - FY92**

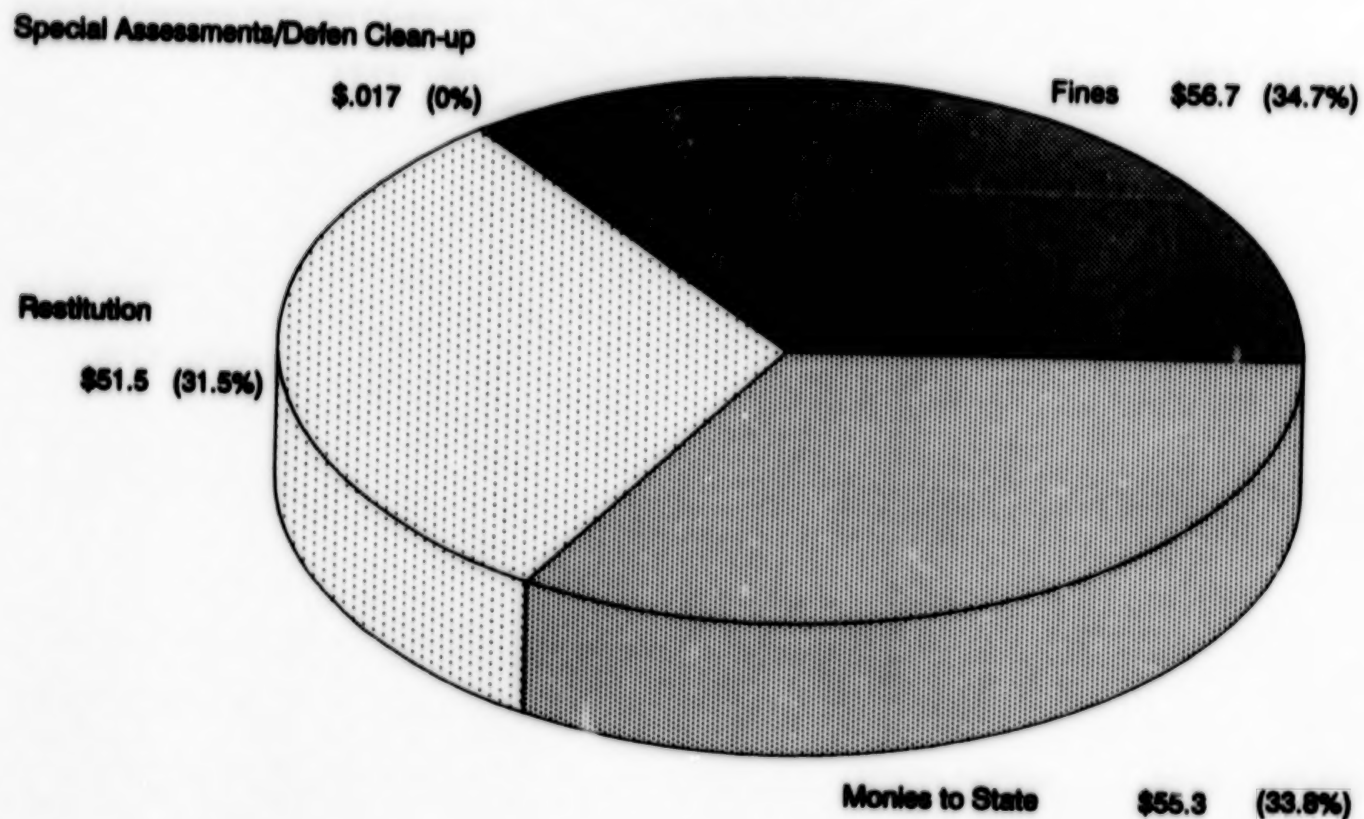
**ENVIRONMENTAL CRIMES SECTION ACTIVITIES**



- The combined Superfund and appropriated budget for the Environmental Crimes Section in FY92 was an estimated \$4.4 million. The value of what the Section achieved in terms of revenue to the United States and the various States, as well as commitments to cleanup activities, was \$163.1 million, representing a 37 to 1 return on the Section's investment. These figures include the Exxon Valdez settlement.

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**FY92**  
**CRIMINAL AWARDS, RESTITUTION, AND SPECIAL ASSESSMENTS**  
(in millions of dollars)



**Total: \$163.5 Million**



**FY92**  
**DIVISION CIVIL CASE AWARDS BY SECTION AND AGENCY<sup>1</sup>**  
(Including Citizen Enforcement Suits)

SECTION/AGENCY	OWED TO UNITED STATES/INDIAN TRIBES BY OPPOSITION	OWED JOINTLY TO UNITED STATES AND STATE OF ALASKA BY OPPOSITION	OWED TO STATES/MUNICIPALITIES/OTHER PARTIES BY OPPOSITION	HELD IN COURT REGISTRY (DISTRIBUTION OF MONIES TO BE DETERMINED LATER)	OWED TO OPPOSITION/LANDOWNER BY THE UNITED STATES	TOTAL AWARD
<b><u>Appellate (Original)</u></b>						
Transportation	\$ 76.80					\$ 76.80
<b>SUBTOTAL</b>	<b>\$ 76.80</b>					<b>\$ 76.80</b>
<b><u>Environmental Defense</u></b>						
Air Force	\$ --		\$ --		\$ 449,829.14	\$ 449,829.14
Army	8,059.25		--		965,000.00	973,059.25
Energy	--		--		447,903.19	447,903.19
EPA	1,001,615.10		56,497.00		437,177.49	1,495,289.59
GSA	--		--		500.00	500.00
Navy	--		--		6,956.27	6,956.27
Transportation	--		--		25,000.00	25,000.00
<b>SUBTOTAL</b>	<b>\$ 1,009,674.35</b>		<b>\$ 56,497.00</b>		<b>\$ 2,352,366.09</b>	<b>\$ 3,418,537.44</b>
<b><u>Environmental Enforcement</u></b>						
Commerce	\$ 12,000,000.00		\$ --		\$ --	\$ 12,000,000.00
EPA	273,266,534.94		10,375,110.60		66,740.00	283,708,385.54
Interior	399,000.00		7,497.77		--	406,497.77
Justice (Citizen Suits)	4,000.00		--		--	4,000.00
Navy	59,604.00		--		500,000.00	559,604.00
Transportation	49,522,404.99	\$ 699,913,688.18	58,267,841.58	\$ 93,086,311.82	--	900,790,246.57
<b>SUBTOTAL</b>	<b>\$ 335,251,543.93</b>	<b>\$ 699,913,688.18</b>	<b>\$ 68,650,449.95</b>	<b>\$ 93,086,311.82</b>	<b>\$ 566,740.00</b>	<b>\$ 1,197,468,733.88<sup>2</sup></b>
<b><u>General Litigation</u></b>						
Agriculture	\$ 2,085,281.05		\$ 7,017.76	\$ --	\$ 405,328.22	\$ 2,497,627.03
Air Force	--		--	--	157,353.00	157,353.00
Army	23,473,906.31		--	--	1,960,088.08	25,433,994.39
Defense	--		--	--	8,500.00	8,500.00
Energy	--		--	--	186,611.97	186,611.97
Housing & Urban Dev.	--		--	38,550.00	--	38,550.00
Interior	15,066,189.84 <sup>3</sup>		\$ 3,439,128.80	302,109.90	85,986,476.96	104,793,905.50
Transportation	--		--	--	40,000.00	40,000.00
<b>SUBTOTAL</b>	<b>\$ 40,625,377.20</b>		<b>\$ 3,446,146.56</b>	<b>\$ 340,659.90</b>	<b>\$ 88,744,358.23</b>	<b>\$ 133,156,541.89</b>

<sup>1</sup> Awards for FY92 were extracted from the Division's computer system on February 12, 1993. We anticipate that these figures will increase by several million dollars as we receive notification of new debts from the United States Attorneys' Offices and client agencies.

<sup>2</sup> In addition, defendants in Environmental Enforcement cases were ordered to spend an additional \$893,773,116 in clean-up activities.

<sup>3</sup> Includes writeoffs in Surface Mining cases that were received in the Division during FY92.

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FY92

## DIVISION CIVIL CASE AWARDS BY SECTION AND AGENCY -- CONTINUED

(Including Citizen Enforcement Suits)

SECTION/AGENCY	OWED TO UNITED STATES/INDIAN TRIBES BY OPPOSITION	OWED JOINTLY TO UNITED STATES AND STATE OF ALASKA BY OPPOSITION	OWED TO STATES/MUNICIPALITIES/OTHER PARTIES BY OPPOSITION	HELD IN COURT REGISTRY (DISTRIBUTION OF MONIES TO BE DETERMINED LATER)	OWED TO OPPOSITION/LANDOWNER BY THE UNITED STATES	TOTAL AMOUNT
<b>Indian Resources</b>						
Interior	\$ 5,361,409.99				\$ 75,000.00	\$ 5,436,409.99
SUBTOTAL	\$ 5,361,409.99				\$ 75,000.00	\$ 5,436,409.99
<b>Land Acquisition</b>						
Agriculture	\$ --				\$ 1,802.23	\$ 1,802.23
Air Force	--				66,400.00	66,400.00
Army	--				10,738,345.23	10,738,345.23
Energy	--				2,380,160.10	2,380,160.10
GSA	--				15,731,181.36	15,731,181.36
Interior	\$ 166.05				29,435,111.00	29,435,277.05
Navy	--				2,722,206.00	2,722,206.00
Postal Service	--				10,896,936.00	10,896,936.00
Transportation	--				436,467.00	436,467.00
Veterans Affairs	--				291,108.00	291,108.00
WMATA	--				747,000.00	747,000.00
SUBTOTAL	\$ 166.05				\$ 73,466,736.92	\$ 73,466,902.97
<b>PLSL</b>						
Justice (Citizen Suits)	\$ 1,430,451.00					\$ 1,430,451.00
SUBTOTAL	\$ 1,430,451.00					\$ 1,430,451.00
<b>Wildlife</b>						
Commerce	\$ 340,000.74				\$ --	\$ 340,000.74
EPA	--				61,500.00	61,500.00
Interior	--				12,517.15	12,517.15
SUBTOTAL	\$ 340,000.74				\$ 74,017.15	\$ 414,017.89
<b>GRAND TOTAL</b>	<b>\$ 384,818,700.06</b>	<b>\$ 699,913,688.18</b>	<b>\$ 72,153,093.51</b>	<b>\$ 93,426,971.72</b>	<b>\$ 165,279,218.39</b>	<b>\$ 1,414,791,671.86</b>

FY92

DIVISION CIVIL CASE AWARDS BY SECTION AND CATEGORY<sup>1</sup>

(Including Citizen Enforcement Suits)

SECTION/CATEGORY	OWED TO UNITED STATES/INDIAN TRIBES BY OPPOSITION	OWED JOINTLY TO UNITED STATES AND STATE OF ALASKA BY OPPOSITION	OWED TO STATES/MUNICIPALITIES/OTHER PARTIES BY OPPOSITION	HELD IN COURT REGISTRY (DISTRIBUTION OF MONIES TO BE DETERMINED LATER)	OWED TO OPPOSITION/LANDOWNER BY THE UNITED STATES	TOTAL AWARD
<u>Amalgate (Original)</u>						
Noise Control	\$ 76.00					\$ 76.00
SUBTOTAL	\$ 76.00					\$ 76.00
<u>Environmental Defense</u>						
Clean Air	\$ 25,572.00				\$ --	\$ 25,572.00
Clean Water	461,610.25				223,366.27	684,976.52
FIFRA	--				292,904.99	292,904.99
RCRA	327.85				56,850.00	57,177.85
Rivers & Harbors	10,059.25				--	10,059.25
Safe Drinking	2,966.30				662.50	3,628.80
Superfund	509,138.70		\$ 56,497.00		1,778,582.33	2,344,218.03
SUBTOTAL	\$ 1,009,674.35		\$ 56,497.00		\$ 2,352,366.09	\$ 3,418,537.44
<u>Environmental Enforcement</u>						
Clean Air	\$ 25,652,416.94	\$ --	\$ 4,260,000.00	\$ --	\$ --	\$ 29,912,416.94
Clean Water	68,374,323.29	699,913,608.18	58,601,841.58	93,086,311.82	--	919,976,164.87
HPRSA	12,850.00	--	--	--	--	12,850.00
RCRA	5,329,375.00	--	750,000.00	--	66,740.00	6,146,115.00
Safe Drinking	147,034.43	--	--	--	--	147,034.43
Superfund	235,735,544.27	--	5,038,608.37	--	500,000.00	241,274,152.64
SUBTOTAL	\$ 335,251,543.93	\$ 699,913,608.18	\$ 68,650,449.95	\$ 93,086,311.82	\$ 566,740.00	\$ 1,197,468,733.88 <sup>2</sup>
<u>General Litigation</u>						
2410 Condemnation	\$ 41,485.00		\$ --	\$ 38,550.00	\$ --	\$ 80,035.00
Accounting	222.37		--	--	14,195,588.03	14,195,810.40
Conveyance Contracts	--		--	--	2,500.00	2,500.00
Corps-Navigable Waters	23,461,280.00		--	--	--	23,461,280.00
Damages/Trespass	2,037,661.00		--	--	397,328.22	2,434,989.22
Historic Preservation	--		--	--	1,000.00	1,000.00
Indian-Tribal Claims	54.45		285.60	--	559,341.90	559,681.95
Jurisdiction	95.05		--	--	--	95.05

<sup>1</sup> Awards for FY92 were extracted from the Division's computer system on February 12, 1993. We anticipate that these figures will increase by several million dollars as we receive notification of new debts from the United States Attorneys' Offices and client agencies.

<sup>2</sup> In addition, defendants in Environmental Enforcement cases were ordered to spend an additional \$893,773,116 in clean-up activities.

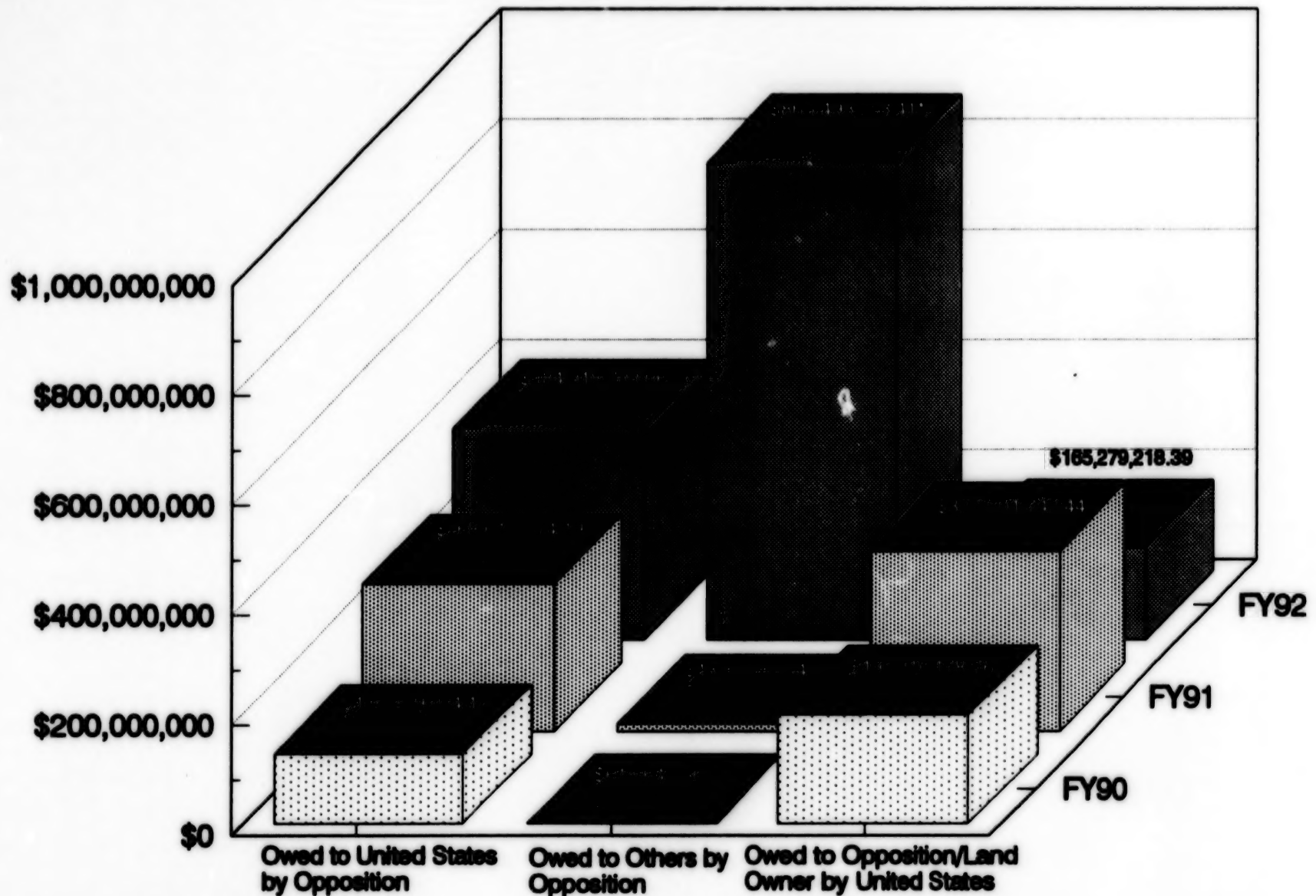
**FY92**  
**DIVISION CIVIL CASE AWARDS BY SECTION AND CATEGORY -- CONTINUED**  
(Including Citizen Enforcement Suits)

SECTION/CATEGORY	OWNED TO UNITED STATES/INDIAN TRIBES BY OPPOSITION	OWNED JOINTLY TO UNITED STATES AND STATE OF ALASKA BY OPPOSITION	OWNED TO STATES/MUNICIPALITIES/OTHER PARTIES BY OPPOSITION	HELD IN COURT REGISTRY (DISTRIBUTION OF MONIES TO BE DETERMINED LATER)	OWNED TO OPPOSITION/LANDOWNER BY THE UNITED STATES	TOTAL AWARD
<u>General Litigation--cont.</u>						
Mineral Land/Leases	\$ 45,286.65		\$ 3,438,843.20	\$ 2,109.90	\$ 2,388,351.88	\$ 5,874,591.63
Natl Forest Management	--		--	--	8,000.00	8,000.00
NEPA	6,267.65		7,017.76	--	70,439.18	83,724.59
Quiet Title	--		--	--	161,035.50	161,035.50
Surface Mining	14,457,777.01		--	--	1,002,926.76	15,460,703.77
Indian Taxation	--		--	--	56,793.71	56,793.71
Tucker Act	12,626.31		--	--	69,889,053.05	69,901,679.36
Water Rights	562,621.71		--	300,000.00	12,000.00	874,621.71
SUBTOTAL	\$ 40,625,377.20		\$ 3,446,146.56	\$ 340,659.90	\$ 88,744,358.23	\$ 133,156,541.89
<u>Indian Resources</u>						
Land Management	\$ 5,361,346.74				\$ 75,000.00	\$ 5,436,346.74
Water Rights	63.25				--	63.25
SUBTOTAL	\$ 5,361,409.99				\$ 75,000.00	\$ 5,436,409.99
<u>Land Acquisition</u>						
Eminent Domain	\$ 166.05				\$ 73,466,736.92	\$ 73,466,902.97
SUBTOTAL	\$ 166.05				\$ 73,466,736.92	\$ 73,466,902.97
<u>PLSL</u>						
Clean Water	\$ 1,430,451.00					\$ 1,430,451.00
SUBTOTAL	\$ 1,430,451.00					\$ 1,430,451.00
<u>Wildlife</u>						
Endangered Species	\$ --				\$ 74,017.15	\$ 74,017.15
Magnuson Act	340,000.74				--	340,000.74
SUBTOTAL	\$ 340,000.74				\$ 74,017.15	\$ 414,017.89
GRAND TOTAL	\$ 384,018,700.06	\$ 699,913,688.18	\$ 72,153,093.51	\$ 93,426,971.72	\$ 165,279,218.39	\$ 1,414,791,671.86

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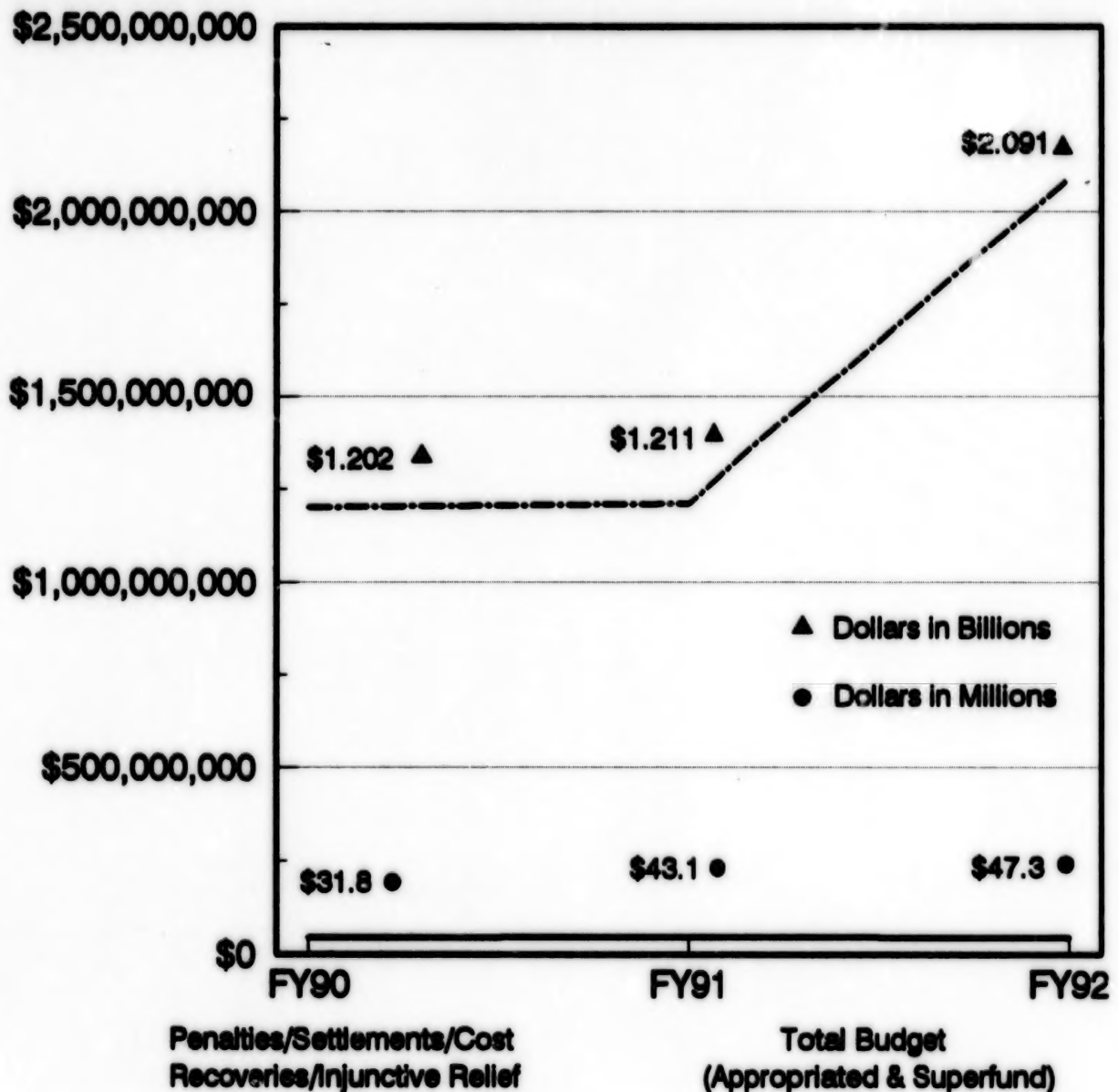
# **FY90 - FY92** **DIVISION CIVIL AWARDS**



\* This includes \$851 million in natural resource damages owed jointly to the United States and the State of Alaska in the Exxon Valdez litigation.

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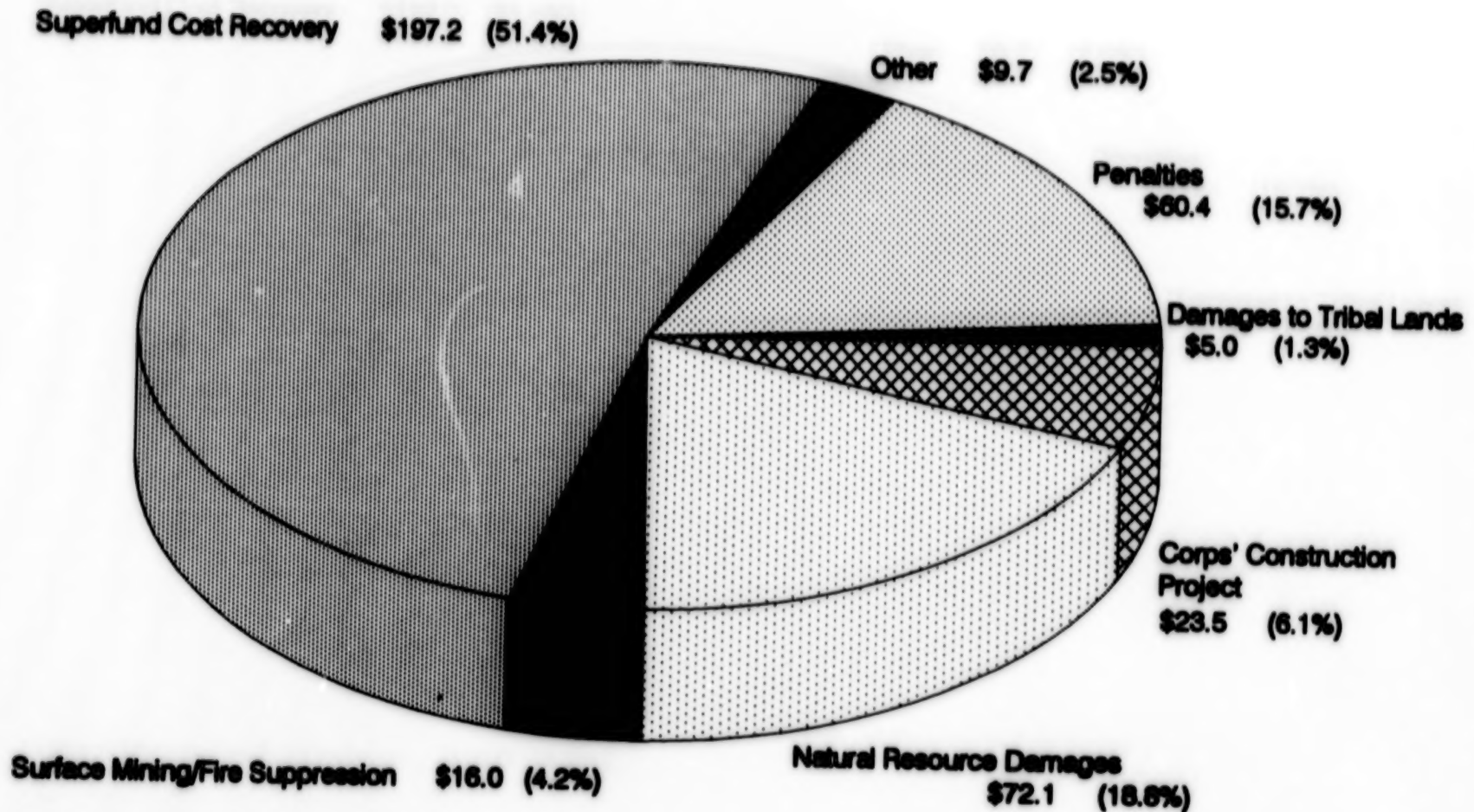
## FY90 - FY92 ENVIRONMENTAL ENFORCEMENT SECTION ACTIVITIES



- \* The combined Superfund and appropriated budget for the Environmental Enforcement Section in FY92 was an estimated \$47.3 million. The value of what the Section achieved in terms of money returned to the Treasury and various trust funds as well as commitments to cleanup activities at Superfund sites was over \$2 billion. This represents a 44.2 to 1 return on the Section's investment and includes the Exxon Valdez settlement.

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**FY92**  
**CIVIL AFFIRMATIVE AWARDS OWED THE UNITED STATES**  
 (in millions of dollars)



**Total: \$384 Million**

\* An additional sum of \$651 million was awarded jointly to the United States and the State of Alaska in the Exxon Valdez case.



# FY92 COLLECTIONS BEST COPY AVAILABLE

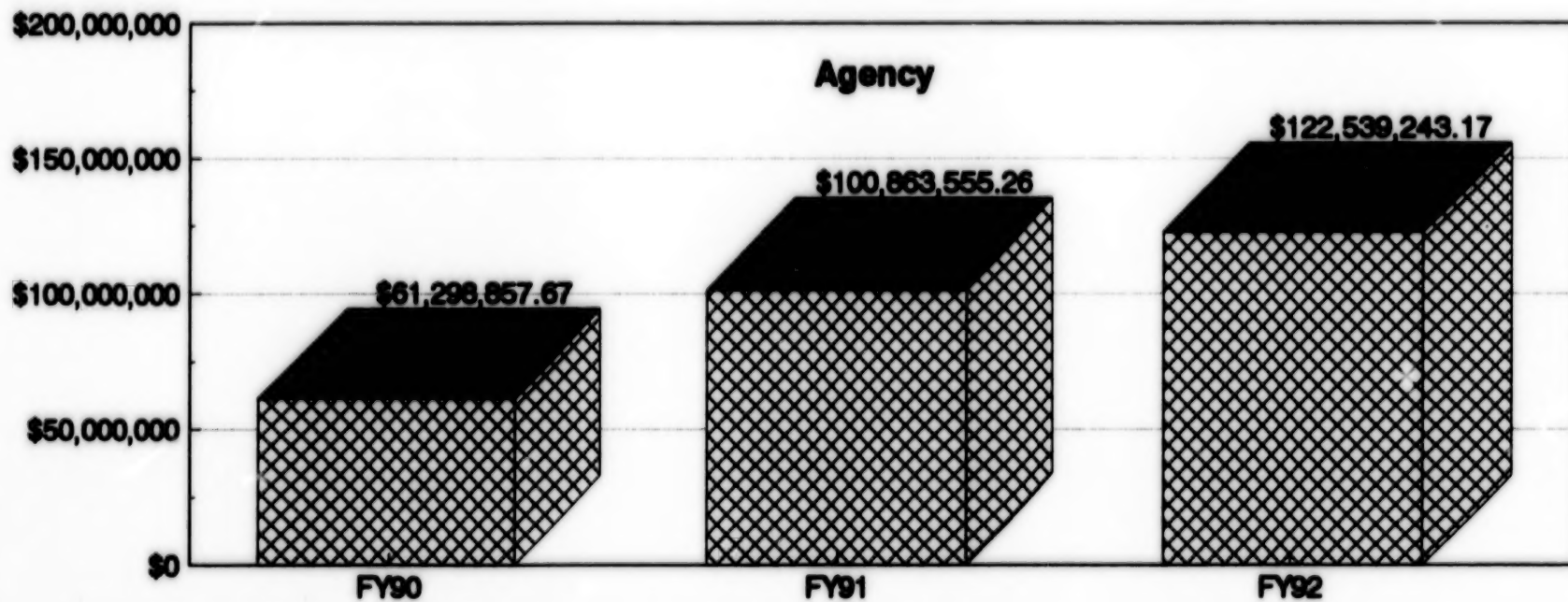
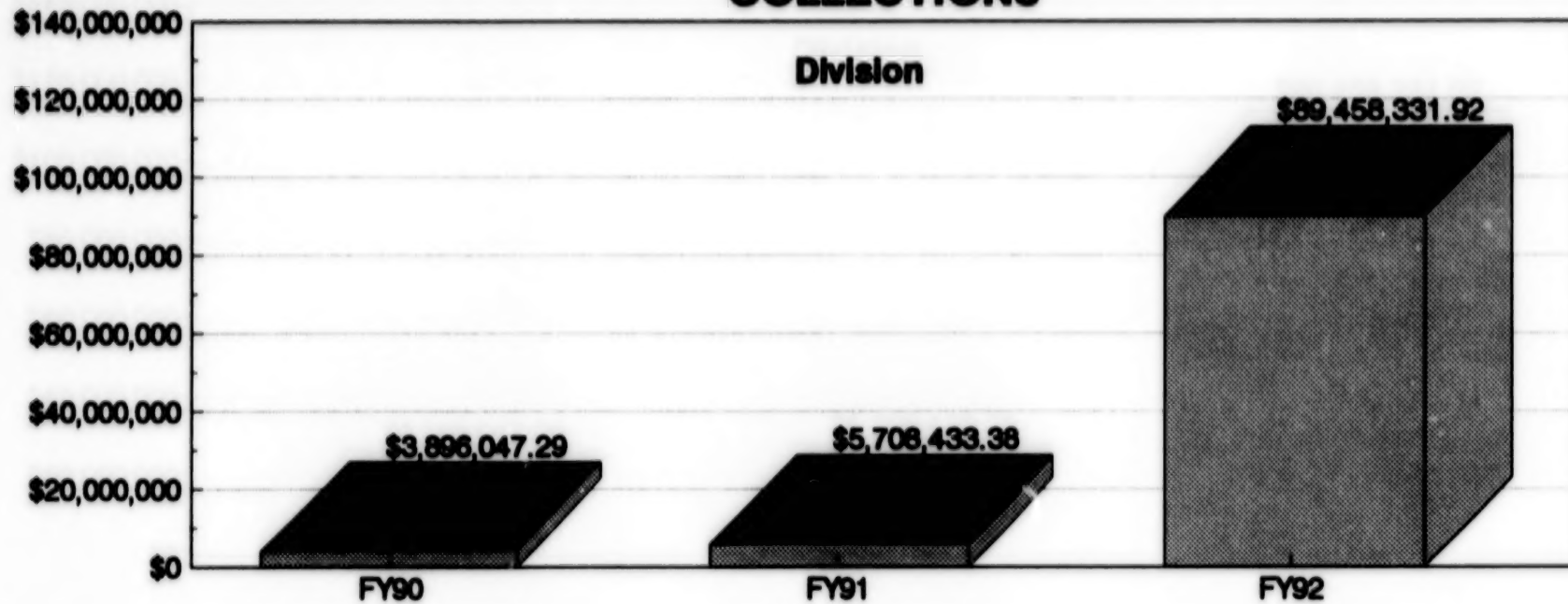
Section/Category	Collected By Division	Collected By Agency	Collected By USAO <sup>1</sup>
<b>Appellate (Original)</b>			
Court Costs	\$ 76.80		
<b>Environmental Crimes</b>			
Fines	13,000,000.00		\$ 12,000,000.00
Restitution	50,000,000.00		
<b>Environmental Defense</b>			
Civil Penalties	28,132.00		
Interest	1,841.76	\$ 31,779.39	
Court Costs	7,617.46		
<b>Environmental Enforcement</b>			
Civil Penalties	674,069.67	1,078,105.00	28,522,391.87
Court Costs	1,287.20		
Cost Recovery-CERCLA		116,912,707.49	2,444,534.80
Interest	226,279.95	1,068,801.29	330,143.96
Natural Resource Damages	24,500,000.00	3,442,500.00	124,000.00
Stipulated Penalties		350.00	296,390.00
<b>General Litigation</b>			
Restitution	80,000.00		
Court Costs	906.58		
<b>Land Acquisition</b>			
Attorneys' Fees	250.00		
Court Costs	58.05		
<b>PLSL (Citizen Enforcement Suits)</b>			
Civil Penalties	852,946.49		450,000.00
Interest	3,850.19		1,411.64
Stipulated Penalties	81,015.77		
<b>Wildlife</b>			
Civil Penalties		5,000.00	
<b>GRAND TOTAL:</b>	<b>\$ 89,458,331.92</b>	<b>\$ 122,539,243.17</b>	<b>\$ 44,168,872.27</b>

<sup>1</sup> The Environmental Enforcement Section tracks collections for all debts regardless of the collecting office. The remaining Division components track recoveries of monies only if the Division or the agency will be collecting the debt. In addition, the Environmental Crimes Section monitored the \$12,000,000 fine in the Exxon Valdez case. The collections identified under citizen enforcement suits, \$451,411.64, represent civil penalties and interest inadvertently sent to the court by the defendant.

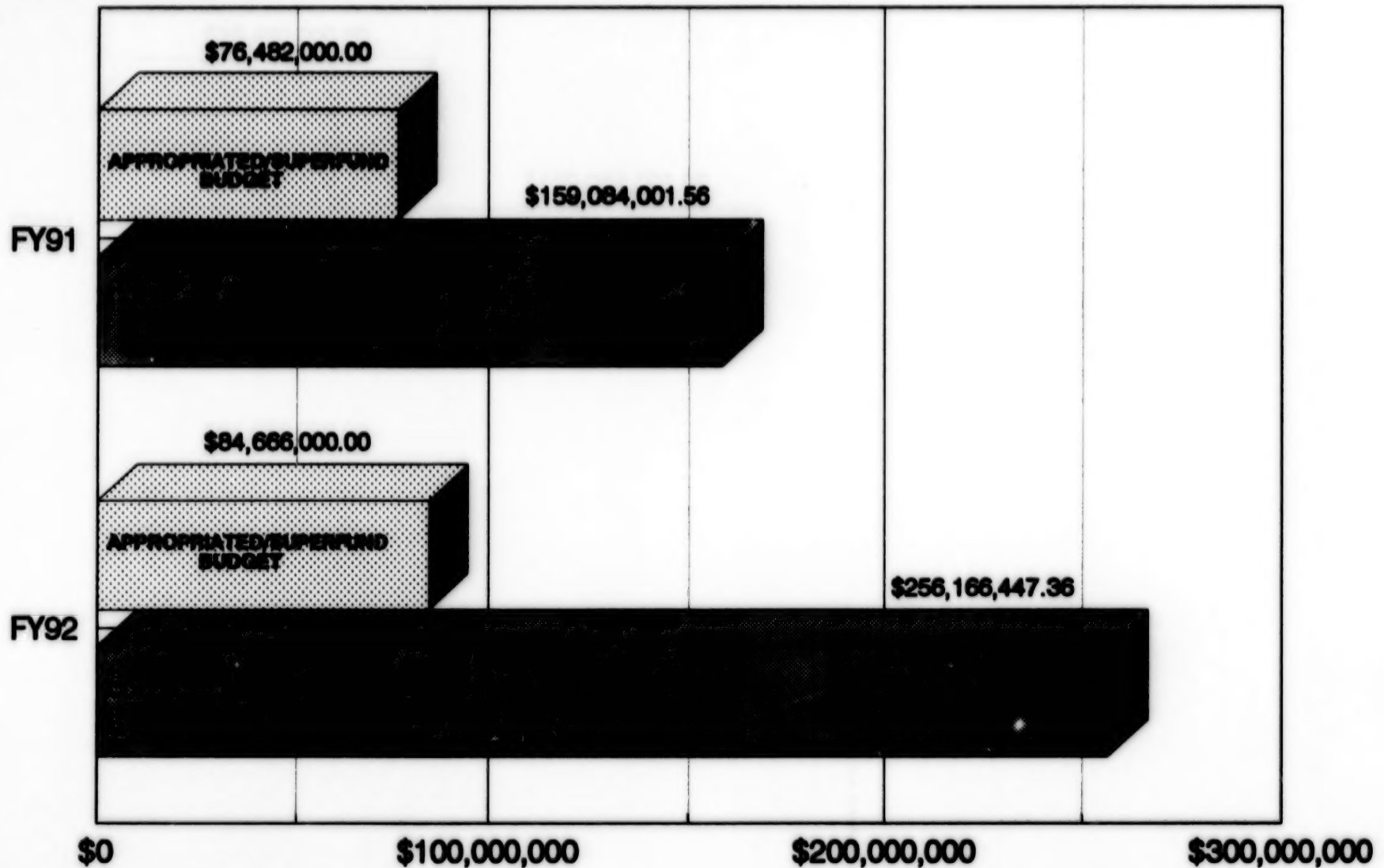
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# FY90 - FY92 COLLECTIONS

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# **FY91 - FY92** **DIVISION APPROPRIATED/SUPERFUND BUDGET VS. MONIES COLLECTED**



This chart provides a comparison between monies appropriated for FY91 and FY92 against monies collected in house, by agencies, and United States Attorneys' Offices (in instances where the Division tracks the collection). In FY91, collections exceeded monies appropriated by \$82.6 million or 108%. In FY92, collections exceeded monies appropriated by \$171.5 million or 202.6%.



## CITIZEN ENFORCEMENT SUITS

The Division gratefully acknowledges the dedication, hard work and effort put forth by the private citizen groups and others who sue non-government polluters for violating the nation's environmental laws. These groups perform a valuable public service by joining the Federal Government in seeking compliance with a host of environmental statutes, particularly the Clean Water Act. Over the past 4 fiscal years, they have collectively recovered for the United States Treasury over \$9 million in penalties and interest. These groups are recognized below with our thanks and appreciation.

Public Interest Research Group of New Jersey	\$5,915,161.97
Sierra Club Legal Defense Fund	1,184,214.00
Atlantic States Legal Foundation	1,039,133.25
Natural Resources Defense Council (NRDC)	645,500.00
Chesapeake Bay Foundation	299,822.00
Public Interest Research Group of Massachusetts	122,650.00
Public Interest Research Group of Ohio	100,000.00
State of Missouri	100,000.00
Westchester Fish, Game & Wildlife Association	60,000.00
Friends of the Earth	27,013.70
Hudson River Fishermen's Association	25,000.00
Public Interest Research Group of Illinois State	25,000.00
Save the Bay (Rhode Island)	22,450.00
Pennsylvania Environmental Defense Foundation	20,000.00
Ohio Environmental Council	15,000.00
Connecticut Fund for the Environment	10,000.00
Village of Kildeer	10,000.00
Braxton Citizens for a Better Environment	8,000.00
Arkansas Wildlife Federation	5,000.00
State Line Fishing & Hunting Club	5,000.00
Tennessee Environmental Council	5,000.00
National Environmental Foundation	2,000.00
American Littoral Society	1,000.00
City of New York	1,000.00
State of Rhode Island	1,000.00
<b>TOTAL:</b>	<b>\$9,648,944.92</b>

## FY92 APPELLATE SECTION CASE OUTCOMES

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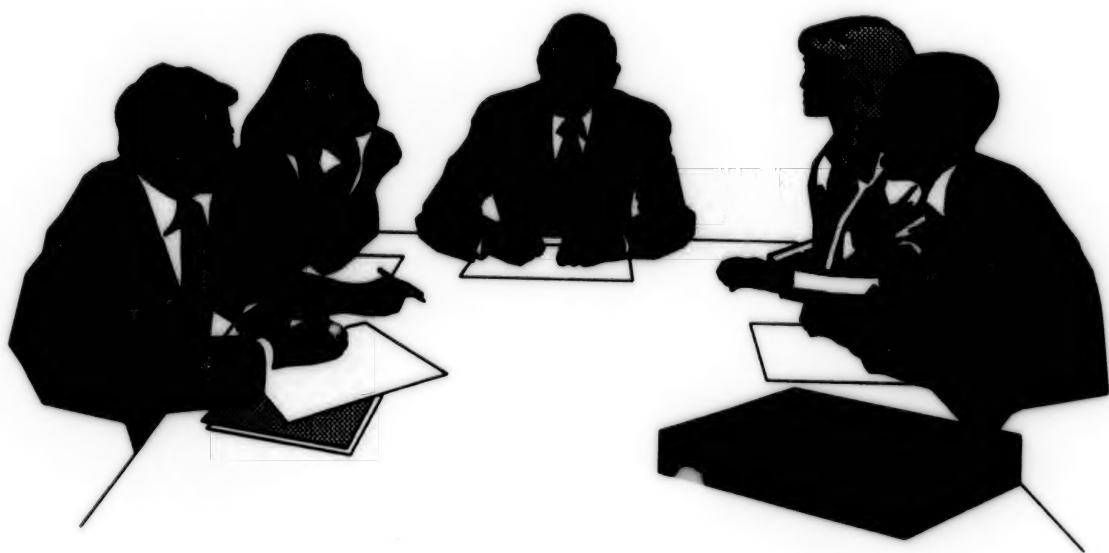
<u>Result Type</u>	<u>Number of Outcomes</u>
Government Prevailed in Trial Court - Appeal Withdrawn by Opposition	26
Government Lost in Trial Court - No Appeal by the United States	44
Won Appeals Court	194*
Won -- Supreme Court Denied Cert	7
Lost Appeals Court	23
Partially Favorable - Appeals Court	8*
Won Supreme Court	1
Lost -- Supreme Court Denied Cert	1
Settlement	14
Case Filed	3
No Action Taken	16
	<hr/>
<b>TOTAL</b>	<b>337</b>

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- \* The Appellate Section prevailed in 202 of its 225 appearances in the courts of appeals -- a 90% win rate.

# **Section 2**

## **Workload Analyses**







# FY92 DIVISION CASE/MATTER ACTIVITY REPORT (Including Citizen Enforcement Suits)

	Pending Begin		Received		Closed		Pending End	
	Cases	Matters	Cases	Matters	Cases	Matters	Cases	Matters
Appellate	837	0	292	0	337	0	792	0
Environmental Crimes	313	0	118	0	112	0	319	0
Environmental Defense	2,166	0	577	20	1,026	0	1,717	20
Environmental Enforcement	1,712	0	446	0	314	0	1,844	0
General Litigation	3,830	5	555	0	1,808	1	2,577	4
Indian Resources	477	0	19	0	159	0	337	0
Land Acquisition (Tracts)	5,867	0	590	0	924	0	5,533	0
PLSL	69	616	50	293	56	366	63	543
Wildlife - Civil	404	0	184	0	127	0	461	0
Criminal	765	0	120	0	143	0	742	0
Matters	0	56	0	184	0	175	0	65
Total	1,169	56	304	184	270	175	1,203	65
<b>TOTAL</b>	<b>16,440</b>	<b>677</b>	<b>2,951</b>	<b>497</b>	<b>5,006</b>	<b>542</b>	<b>14,385</b>	<b>632</b>
<b>GRAND TOTAL</b>	<b>17,117</b>		<b>3,448</b>		<b>5,548</b>		<b>15,017</b>	

PLSL Supplemental Workload	390	2,540	2,427	503
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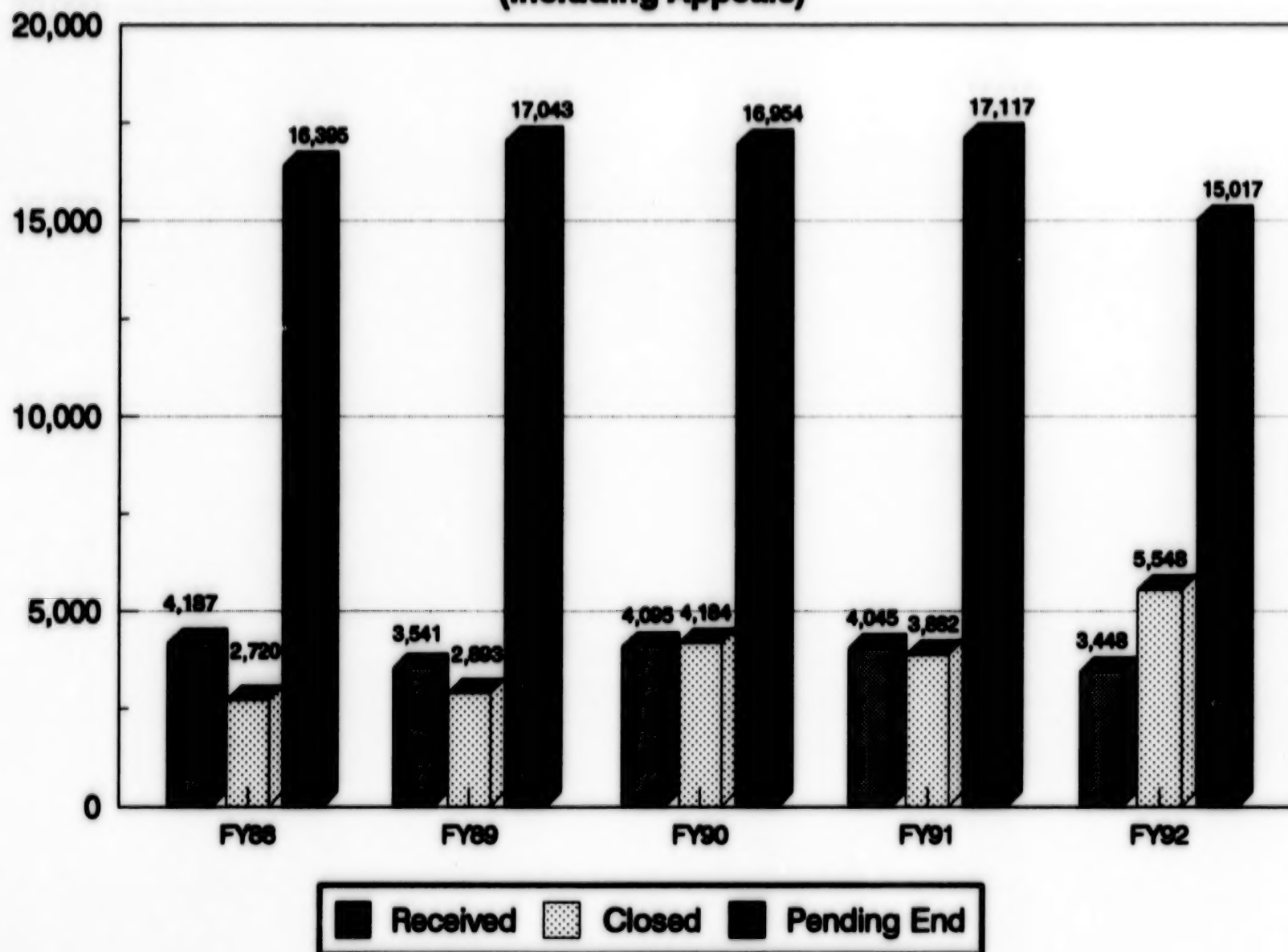
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**FY88 - FY92**  
**DIVISION CASES AND MATTERS RECEIVED, CLOSED AND PENDING**  
**(Including Appeals)**

	<u>Civil</u>	<u>Criminal</u>	<u>Condemnation/ Title</u>	<u>Matters</u>	<u>Total</u>	<u>PLSL Supplemental Workload</u>
<b>FY88</b>						
Received	2,253	624	392	318	4,187	1,953
Closed	1,467	248	357	148	2,720	1,733
Pending End	8,506	1,175	6,255	459	16,395	432
<b>FY89</b>						
Received	2,232	347	725	237	3,541	2,235
Closed	1,571	447	795	80	2,893	2,021
Pending End	9,167	1,075	6,185	616	17,043	646
<b>FY90</b>						
Received	2,670	377	693	355	4,095	2,489
Closed	2,490	392	823	479	4,184	2,154
Pending End	9,347	1,060	6,055	492	16,954	981
<b>FY91</b>						
Received	2,391	444	830	380	4,045	2,241
Closed	2,326	378	983	195	3,882	2,832
Pending End	9,412	1,126	5,902	677	17,117	390
<b>FY92</b>						
Received	2,074	262	615	497	3,448	2,540
Closed	3,776	276	954	542	5,548	2,427
Pending End	7,710	1,112	5,563	632	15,017	503

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**FY88 - FY92**  
**DIVISION CASES AND MATTERS RECEIVED, CLOSED AND PENDING**  
**(Including Appeals)**



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**FY92**  
**DIVISION CASES AND MATTERS BY CASE TYPE**  
**(Including Appeals)**

<b>Case Type</b>	<b>Pending Begin</b>	<b>Received</b>	<b>Closed</b>	<b>Pending End</b>
Citizen Enforcement Suits	45	45	56	34
Civil, Affirmative	3,179	761	812	3,128
Civil, Defensive	6,188	1,268	2,908	4,548
Condemnation/Title	5,902	615	954	5,563
Criminal	1,126	262	276	1,112
Matters	677	497	542	632
<b>TOTAL</b>	<b>17,117</b>	<b>3,448</b>	<b>5,548</b>	<b>15,017</b>

<b>PLSL Supplemental Workload</b>	<b>390</b>	<b>2,540</b>	<b>2,427</b>	<b>503</b>
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## FY88 - FY92 APPELLATE SECTION ANALYSIS

<u>Originating Section</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
Appellate	Received	63	65	54	37	50
	Closed	26	54	53	47	72
	Pending End	190	201	202	192	170
Environmental Crimes	Received	5	8	10	12	12
	Closed	1	4	6	6	13
	Pending End	9	13	17	23	22
Environmental Defense	Received	49	40	48	34	35
	Closed	23	45	39	37	39
	Pending End	92	87	96	95	91
Environmental Enforcement	Received	23	23	20	29	23
	Closed	12	20	14	22	26
	Pending End	40	43	49	56	53
General Litigation	Received	123	104	122	117	112
	Closed	147	130	101	79	130
	Pending End	306	280	301	339	321
Indian Resources	Received	10	10	13	9	7
	Closed	8	10	8	8	9
	Pending End	26	26	31	32	30
Land Acquisition	Received	30	35	26	20	25
	Closed	42	38	19	23	30
	Pending End	34	31	38	35	30
PLSL	Received	2	3	1	2	0
	Closed	0	1	2	1	0
	Pending End	6	8	7	8	8
Wildlife	Received	14	20	24	30	28
	Closed	17	25	22	17	18
	Pending End	47	42	44	57	67
GRAND TOTAL	Received	319	308	318	292	292
	Closed	276	327	264	240	337
	Pending End	750	731	785	837	792

\* Each year, the General Litigation Section has represented over 38 percent of the Division's cases that are on appeal. Original appellate actions are the next highest category.

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# FY92 DIVISION CASE FILINGS BY SECTION AND CATEGORY

SECTION/CATEGORY	CIVIL AFFIRMATIVE	CIVIL DEFENSIVE	CONDEMNATION	CRIMINAL
<b>ENVIRONMENTAL CRIMES</b>				
CLEAN WATER				53
FIFRA				2
FRAUD/COVERUP				2
MPRSA				2
RCRA				63
RIVERS & HARBORS				3
SAFE DRINKING				2
SUPERFUND				34
TSCA				26
SUBTOTAL	0	0	0	187
<b>ENVIRONMENTAL DEFENSE</b>				
BANKRUPTCY		1		
CLEAN AIR		56		
CLEAN WATER	6	52		
ENERGY MATTERS		1		
FIFRA		3		
RCRA		41		
RIVERS & HARBORS		2		
SAFE DRINKING		12		
SUPERFUND	3	45		
TSCA		6		
URANIUM MILL		1		
SUBTOTAL	9	220	0	0
<b>ENVIRONMENTAL ENFORCEMENT</b>				
CLEAN AIR	68			
CLEAN WATER	52			
MPRSA	3			
OIL POLLUTION	2			
RCRA	13			
SAFE DRINKING	7			
SUPERFUND	153			
TSCA	2			
SUBTOTAL	300	0	0	0
<b>GENERAL LITIGATION</b>				
ADMIN PROCEDURE		1		
ALASKA CONSERVATION		5		
ALASKA NATIVE CLAIMS		1		
COASTAL ZONE MGMT		1		
CONVEYANCE CONTRACTS		4		
DAMAGES/TRESPASS	2	5		
DESCENT & DISTRIBUTION		2		
EMINENT DOMAIN		1		
FED LAND POLICY MGMT		2		
GENERAL LIT MISC		8		
GRANTS/PATENTS		4		
GRAZING RIGHTS/PERMITS		2		
HISTORIC PRESERVATION		1		
IND SELF DETERMINATION		1		
INDIAN GAMBLING		6		
INDIAN/TRIBAL CLAIMS	1	31		
MINERAL LANDS/LEASES	2	23		
NAT'L FOREST MGMT		16		
NEPA		61		
NUCLEAR WASTE POLICY		1		
OCBLA		3		

**FY92**  
**DIVISION CASE FILINGS BY SECTION AND CATEGORY**  
**(Continued)**

SECTION/CATEGORY	CIVIL AFFIRMATIVE	CIVIL DEFENSIVE	CONDEMNATION	CRIMINAL
<b>GENERAL LITIGATION (continued)</b>				
POSSESSION		4		
QUIET TITLE	3	33		
RENTS/EVICTIONS	1	1		
SURFACE MINING	2	11		
TAXES		1		
TUCKER ACT		71		
WATER RIGHTS	2	8		
2410 CONDEMNATION		34		
SUBTOTAL	13	342	0	0
<b>INDIAN RESOURCES</b>				
INDIAN LAND MGMT		1		
WATER RIGHTS	1	1		
SUBTOTAL	1	2	0	0
<b>LAND ACQUISITION</b>				
EMINENT DOMAIN			427	
SUBTOTAL	0	0	427	0
<b>PLSL</b>				
CLEAN WATER	11			
SUBTOTAL	11	0	0	0
<b>WILDLIFE AND MARINE RESOURCES</b>				
ENDANGERED SPECIES	7	41		9
FISH & WILDLIFE COORD		1		
GENERAL WILDLIFE		4		
LACEY ACT		4		27
MAGNUSON ACT	3	13		
MARINE MAMMAL		1		25
MIGRATORY BIRD				1
NPSA		1		
TORT LIABILITY		1		
WILDLIFE REFUGE		1		
WILDLIFE SMUGGLING				6
SUBTOTAL	10	67	0	68
<b>DIVISION TOTAL</b>	<b>344</b>	<b>631</b>	<b>427</b>	<b>255</b>
<b>GRAND TOTAL: 1,657 FILINGS</b>				



# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

("OTHER" includes categories with less than 5 cases received, closed and pending  
in all 5 fiscal years and cases that are not assigned categories.)

### APPELLATE SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
ADMIN PROCEDURE	RECEIVED	3	7	5	1	1
	CLOSED	0	0	4	0	7
	PENDING END	3	10	11	12	6
CLEAN AIR	RECEIVED	11	13	13	7	9
	CLOSED	4	9	16	15	9
	PENDING END	24	28	25	17	17
CLEAN WATER	RECEIVED	22	22	31	21	22
	CLOSED	10	21	15	17	25
	PENDING END	43	44	60	64	61
DAMAGES/TRESPASS	RECEIVED	2	4	3	1	5
	CLOSED	3	5	4	2	1
	PENDING END	8	7	6	5	9
EMINENT DOMAIN	RECEIVED	30	35	26	20	25
	CLOSED	42	38	19	23	30
	PENDING END	34	31	38	35	30
ENDANGERED SPECIES	RECEIVED	4	10	8	4	18
	CLOSED	3	8	6	4	4
	PENDING END	10	12	14	14	28
ENERGY MATTERS	RECEIVED	7	12	9	6	10
	CLOSED	4	6	7	6	6
	PENDING END	27	33	35	35	39
GENERAL LIT MISC	RECEIVED	4	3	1	0	1
	CLOSED	6	7	2	2	0
	PENDING END	14	10	9	7	8
GRANTS/PATENTS	RECEIVED	1	2	2	0	1
	CLOSED	3	10	1	1	3
	PENDING END	11	3	4	3	1
HOBBS ACT	RECEIVED	1	1	4	2	2
	CLOSED	0	0	1	1	0
	PENDING END	1	2	5	6	8
INDIAN LAND MANAGEMENT	RECEIVED	3	2	8	3	2
	CLOSED	5	6	3	1	7
	PENDING END	11	7	12	14	9
INDIAN/TRIBAL CLAIMS	RECEIVED	20	21	16	16	11
	CLOSED	24	17	24	9	14
	PENDING END	54	58	50	57	54
JURISDICTION	RECEIVED	3	5	5	3	3
	CLOSED	1	1	0	5	3
	PENDING END	5	9	14	12	12
LACEY ACT	RECEIVED	7	3	5	6	6
	CLOSED	3	9	7	8	5
	PENDING END	17	11	9	7	8
LAND CLAIMS	RECEIVED	4	2	1	1	0
	CLOSED	3	2	0	0	1
	PENDING END	4	4	5	6	5

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### APPELLATE SECTION (Continued)

CATEGORY		FY88	FY89	FY90	FY91	FY92
MAGNUSON ACT	RECEIVED	4	3	5	6	1
	CLOSED	5	2	1	1	6
	PENDING END	6	7	11	16	11
MIGRATORY BIRD	RECEIVED	3	2	1	10	1
	CLOSED	1	6	1	0	1
	PENDING END	5	1	1	11	11
MINERAL LANDS/LEASES	RECEIVED	14	13	21	14	8
	CLOSED	17	12	8	14	21
	PENDING END	38	39	52	52	39
NAT'L FOREST MANAGEMENT	RECEIVED	0	2	7	8	10
	CLOSED	0	2	4	3	6
	PENDING END	2	2	5	10	14
NEPA	RECEIVED	43	38	45	33	39
	CLOSED	30	39	33	29	41
	PENDING END	85	84	96	100	98
NOISE CONTROL	RECEIVED	3	0	2	0	0
	CLOSED	3	5	2	2	0
	PENDING END	12	7	7	5	5
NUCLEAR WASTE POLICY	RECEIVED	3	2	1	3	3
	CLOSED	2	7	9	0	34
	PENDING END	47	42	34	37	6
POSSESSION	RECEIVED	2	2	2	2	2
	CLOSED	5	3	1	2	6
	PENDING END	8	7	8	8	4
POWER PLANT	RECEIVED	10	7	1	0	0
	CLOSED	3	4	8	9	1
	PENDING END	28	31	24	15	14
QUIET TITLE	RECEIVED	10	7	6	14	7
	CLOSED	11	7	9	7	13
	PENDING END	25	25	22	29	23
RCRA	RECEIVED	11	7	6	10	10
	CLOSED	1	7	4	7	8
	PENDING END	15	15	17	20	22
RECLAMATION LAW	RECEIVED	5	1	0	0	0
	CLOSED	0	0	0	6	0
	PENDING END	5	6	6	0	0
RIVERS & HARBORS	RECEIVED	5	3	8	5	3
	CLOSED	5	8	5	3	6
	PENDING END	14	9	12	14	11
SUPERFUND	RECEIVED	30	29	24	33	29
	CLOSED	18	23	18	19	32
	PENDING END	45	51	57	71	68
SURFACE MINING	RECEIVED	8	10	8	12	13
	CLOSED	20	9	6	4	10
	PENDING END	19	20	22	30	33

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### APPELLATE SECTION (Continued)

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
TOXIC SUB CONTR	RECEIVED	1	2	1	1	0
	CLOSED	1	2	2	3	0
	PENDING END	6	6	5	3	3
TUCKER ACT	RECEIVED	17	8	15	9	9
	CLOSED	16	14	12	6	12
	PENDING END	26	20	23	26	23
WATER RIGHTS	RECEIVED	12	9	6	11	9
	CLOSED	5	10	7	5	8
	PENDING END	28	27	26	32	33
OTHER	RECEIVED	16	21	22	30	32
	CLOSED	22	28	25	26	17
	PENDING END	70	63	60	64	79
TOTAL	RECEIVED	319	308	318	292	292
	CLOSED	276	327	264	240	337
	PENDING END	750	731	785	837	792

### ENVIRONMENTAL CRIMES SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
CLEAN AIR	RECEIVED	7	5	6	10	3
	CLOSED	9	7	6	11	3
	PENDING END	16	14	14	13	13
CLEAN WATER	RECEIVED	18	42	42	72	42
	CLOSED	16	32	23	37	30
	PENDING END	35	45	64	99	111
FBI CRIMINAL MATTERS	RECEIVED	207	82	9	0	0
	CLOSED	57	181	24	30	7
	PENDING END	162	63	48	18	11
FIFRA	RECEIVED	4	1	1	2	4
	CLOSED	5	1	1	0	2
	PENDING END	4	4	4	6	8
RCRA	RECEIVED	13	17	36	75	41
	CLOSED	14	15	15	32	31
	PENDING END	20	22	43	86	96
SUPERFUND	RECEIVED	44	27	15	46	19
	CLOSED	32	42	19	43	30
	PENDING END	88	73	69	72	61
TOXIC SUB CONTR	RECEIVED	5	1	2	8	2
	CLOSED	2	1	3	2	5
	PENDING END	5	5	4	10	7
OTHER	RECEIVED	0	8	6	6	7
	CLOSED	0	1	2	8	4
	PENDING END	0	7	11	9	12
TOTAL	RECEIVED	298	183	117	219	118
	CLOSED	133	280	93	163	112
	PENDING END	330	233	257	313	319

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### ENVIRONMENTAL DEFENSE SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
CLEAN AIR	RECEIVED	49	76	72	50	128
	CLOSED	37	51	59	55	127
	PENDING END	285	310	323	318	319
CLEAN WATER	RECEIVED	140	106	148	145	133
	CLOSED	85	63	87	126	230
	PENDING END	451	494	555	574	477
FIFRA	RECEIVED	16	99	421	192	83
	CLOSED	12	3	8	381	355
	PENDING END	30	126	539	350	78
NPRSA	RECEIVED	2	0	0	0	0
	CLOSED	1	2	0	2	9
	PENDING END	13	11	11	9	0
NOISE CONTROL	RECEIVED	1	1	1	0	0
	CLOSED	2	0	2	2	3
	PENDING END	6	7	6	4	1
RCRA	RECEIVED	55	78	107	47	69
	CLOSED	41	28	50	85	120
	PENDING END	243	293	350	312	261
RIVERS & HARBORS	RECEIVED	11	32	32	0	6
	CLOSED	51	36	57	52	60
	PENDING END	168	164	139	87	33
SAFE DRINKING	RECEIVED	3	10	9	20	16
	CLOSED	2	3	7	6	14
	PENDING END	15	22	24	38	40
SUPERFUND	RECEIVED	79	111	131	137	143
	CLOSED	28	42	76	58	92
	PENDING END	229	298	353	432	483
TOXIC SUB CONTR	RECEIVED	14	15	10	4	6
	CLOSED	2	11	7	12	4
	PENDING END	32	36	39	31	33
OTHER	RECEIVED	3	1	0	0	13
	CLOSED	7	3	1	8	12
	PENDING END	22	20	19	11	12
TOTAL	RECEIVED	373	529	931	595	597
	CLOSED	268	242	354	787	1,026
	PENDING END	1,494	1,781	2,358	2,166	1,737

### ENVIRONMENTAL ENFORCEMENT SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
CLEAN AIR	RECEIVED	127	103	117	115	91
	CLOSED	81	93	163	220	69
	PENDING END	499	509	463	358	380
CLEAN WATER	RECEIVED	125	87	72	84	56
	CLOSED	62	76	175	142	54
	PENDING END	441	452	349	291	293



# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### ENVIRONMENTAL ENFORCEMENT SECTION (Continued)

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
FIFRA	RECEIVED	5	10	4	2	0
	CLOSED	8	4	9	12	0
	PENDING END	20	26	21	11	11
NPRSA	RECEIVED	1	2	8	0	3
	CLOSED	0	0	1	8	1
	PENDING END	3	5	12	4	6
RCRA	RECEIVED	26	29	21	44	38
	CLOSED	12	10	49	40	23
	PENDING END	137	156	128	132	147
SAFE DRINKING	RECEIVED	11	8	15	7	10
	CLOSED	9	10	15	15	5
	PENDING END	39	37	37	29	34
SUPERFUND	RECEIVED	216	210	215	287	242
	CLOSED	32	46	137	198	152
	PENDING END	526	690	768	857	947
TOXIC SUB CONTR	RECEIVED	8	11	5	11	3
	CLOSED	7	5	10	17	8
	PENDING END	30	36	31	25	20
OTHER	RECEIVED	0	0	0	5	3
	CLOSED	0	2	1	2	2
	PENDING END	5	3	2	5	6
TOTAL	RECEIVED	519	460	457	555	446
	CLOSED	211	246	560	654	314
	PENDING END	1,700	1,914	1,811	1,712	1,844

### GENERAL LITIGATION SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
ACCOUNTING	RECEIVED	0	0	1	0	1
	CLOSED	5	0	0	0	0
	PENDING END	14	14	15	15	16
ALASKA CONSERVATION	RECEIVED	1	2	5	5	5
	CLOSED	1	1	2	2	1
	PENDING END	4	5	8	11	15
ALASKA NATIVE CLAIMS	RECEIVED	1	1	0	2	2
	CLOSED	2	0	1	1	1
	PENDING END	4	5	4	5	6
CONVEYANCE CONTRACTS	RECEIVED	2	1	3	1	4
	CLOSED	3	2	2	0	0
	PENDING END	7	6	7	8	12
CORPS-NAVIGABLE WATERS	RECEIVED	1	1	3	0	0
	CLOSED	2	1	1	1	1
	PENDING END	6	6	8	7	6
DAMAGES/TRESPASS	RECEIVED	21	20	12	10	7
	CLOSED	22	18	19	6	782
	PENDING END	873	875	868	872	97

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### GENERAL LITIGATION SECTION (Continued)

CATEGORY		FY88	FY89	FY90	FY91	FY92
DESCENT & DISTRIBUTION	RECEIVED	0	0	0	2	2
	CLOSED	4	1	0	1	1
	PENDING END	7	6	6	7	8
ENERGY MATTERS	RECEIVED	0	3	0	0	0
	CLOSED	0	1	1	4	1
	PENDING END	4	6	5	1	0
FED LAND POLICY MGN	RECEIVED	0	1	1	1	2
	CLOSED	2	2	0	0	0
	PENDING END	3	2	3	4	6
GENERAL LIT MISC	RECEIVED	25	25	24	26	10
	CLOSED	68	28	11	12	42
	PENDING END	166	163	176	190	158
GRANTS/PATENTS	RECEIVED	3	0	2	1	3
	CLOSED	10	0	16	1	0
	PENDING END	27	27	13	13	16
GRAZING RIGHTS/PERMITS	RECEIVED	5	2	1	1	3
	CLOSED	1	2	1	2	0
	PENDING END	6	6	6	5	8
HISTORIC PRESERVATION	RECEIVED	3	2	2	6	2
	CLOSED	2	3	1	6	1
	PENDING END	8	5	8	8	9
INDIAN GAMBLING	RECEIVED	0	0	0	0	7
	CLOSED	0	0	0	0	0
	PENDING END	0	0	0	0	7
INDIAN/TRIBAL CLAIMS	RECEIVED	38	43	36	37	32
	CLOSED	44	36	29	32	68
	PENDING END	252	259	266	271	235
MINERAL LANDS/LEASES	RECEIVED	33	43	34	34	31
	CLOSED	42	33	39	24	49
	PENDING END	175	185	180	190	172
NAT'L FOREST MANAGEMENT	RECEIVED	4	6	25	24	16
	CLOSED	2	2	4	1	8
	PENDING END	11	15	36	59	67
NAT'L PARKS MANAGEMENT	RECEIVED	4	4	2	0	0
	CLOSED	0	4	4	4	1
	PENDING END	15	15	13	9	8
NEPA	RECEIVED	70	70	75	81	69
	CLOSED	71	38	40	59	102
	PENDING END	296	328	363	385	352
OCSLA	RECEIVED	1	0	0	0	5
	CLOSED	0	2	0	1	0
	PENDING END	6	4	4	3	8
POSSESSION	RECEIVED	5	4	0	6	4
	CLOSED	16	4	2	1	8
	PENDING END	28	28	26	31	27
QUIET TITLE	RECEIVED	45	48	54	60	46
	CLOSED	50	51	26	35	56
	PENDING END	254	251	279	304	294

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### GENERAL LITIGATION SECTION (Continued)

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
RECLAMATION LAW	RECEIVED	3	0	1	2	0
	CLOSED	3	3	0	5	2
	PENDING END	12	9	10	7	5
RENTS/EVICTIONS	RECEIVED	2	1	1	2	2
	CLOSED	6	1	4	1	3
	PENDING END	21	21	18	19	18
SURFACE MINING	RECEIVED	428	284	279	278	147
	CLOSED	157	381	299	264	149
	PENDING END	673	576	556	570	568
TAXES	RECEIVED	0	1	1	1	0
	CLOSED	0	2	1	1	1
	PENDING END	6	5	5	5	4
TIMBER CONTRACTS	RECEIVED	1	1	0	0	0
	CLOSED	0	0	3	0	1
	PENDING END	8	9	6	6	5
TORT LIABILITY	RECEIVED	0	2	3	0	0
	CLOSED	0	1	0	0	1
	PENDING END	3	4	7	7	6
TUCKER ACT	RECEIVED	36	45	26	39	73
	CLOSED	44	27	51	33	33
	PENDING END	193	211	186	192	232
WATER RIGHTS	RECEIVED	30	10	20	14	22
	CLOSED	12	12	7	10	61
	PENDING END	192	190	203	207	168
ZONING/PUBLIC BUILDINGS	RECEIVED	0	2	0	0	0
	CLOSED	2	1	2	0	2
	PENDING END	6	7	5	5	3
2410 CONDEMNATION	RECEIVED	211	203	216	150	55
	CLOSED	40	75	572	47	429
	PENDING END	515	643	287	390	16
OTHER	RECEIVED	4	3	10	4	5
	CLOSED	3	1	7	5	5
	PENDING END	25	27	30	29	29
TOTAL	RECEIVED	977	828	837	787	555
	CLOSED	614	733	1,145	559	1,809
	PENDING END	3,820	3,915	3,607	3,835	2,581

### INDIAN RESOURCES SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
IND RES MISC	RECEIVED	1	0	0	0	0
	CLOSED	2	2	3	0	1
	PENDING END	15	13	10	10	9
INDIAN LAND MANAGEMENT	RECEIVED	14	12	28	25	11
	CLOSED	23	9	94	8	147
	PENDING END	404	407	341	358	222

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### INDIAN RESOURCES SECTION (Continued)

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
INDIAN/TRIBAL CLAIMS	RECEIVED	0	0	0	0	0
	CLOSED	1	1	4	0	1
	PENDING END	11	10	6	6	5
JURISDICTION	RECEIVED	1	4	3	5	0
	CLOSED	0	1	6	0	3
	PENDING END	21	24	21	26	23
WATER RIGHTS	RECEIVED	5	0	5	0	5
	CLOSED	4	0	1	0	3
	PENDING END	56	56	60	60	62
OTHER	RECEIVED	7	3	4	8	3
	CLOSED	5	2	5	2	4
	PENDING END	11	12	11	17	16
TOTAL	RECEIVED	28	19	40	38	19
	CLOSED	35	15	113	10	159
	PENDING END	518	522	449	477	337

### LAND ACQUISITION SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
DIRECT PURCHASE	RECEIVED	168	130	117	313	80
	CLOSED	27	78	180	205	94
	PENDING END	455	507	444	552	538
EMINENT DOMAIN	RECEIVED	794	560	550	497	510
	CLOSED	788	679	624	755	830
	PENDING END	5,766	5,647	5,573	5,315	4,995
TOTAL	RECEIVED	962	690	667	810	590
	CLOSED	815	757	804	960	924
	PENDING END	6,221	6,154	6,017	5,867	5,533

### PLSL SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
CLEAN WATER	RECEIVED	19	44	39	34	46
	CLOSED	14	15	32	37	56
	PENDING END	26	55	62	59	49
CONGRESSIONAL ISSUES	RECEIVED	0	0	2	1	2
	CLOSED	0	0	33	2	0
	PENDING END	37	37	6	5	7
FREEDOM OF INFO	RECEIVED	152	127	157	164	234
	CLOSED	0	0	180	50	345
	PENDING END	173	300	277	391	280
INTERNATIONAL ISSUES	RECEIVED	2	2	17	12	9
	CLOSED	0	0	0	0	1
	PENDING END	2	4	21	33	41



# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### PLSL SECTION (Continued)

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
MAJOR LEGISLATIVE PROJ.	RECEIVED	17	11	14	14	11
	CLOSED	2	0	110	10	6
	PENDING END	144	155	59	63	68
PLSL POLICY ISSUES	RECEIVED	7	9	39	42	31
	CLOSED	8	0	27	6	12
	PENDING END	57	66	78	114	133
RCRA	RECEIVED	0	1	0	0	2
	CLOSED	0	1	0	0	0
	PENDING END	8	8	8	8	10
SUPERFUND	RECEIVED	1	1	0	1	1
	CLOSED	0	0	3	3	0
	PENDING END	8	9	6	4	5
OTHER	RECEIVED	2	3	4	0	7
	CLOSED	1	0	2	0	2
	PENDING END	3	6	8	8	13
TOTAL	RECEIVED	200	198	272	268	343
	CLOSED	25	16	387	108	422
	PENDING END	458	640	525	685	606
<u>PLSL SUPPLEMENTAL WORKLOAD</u>	RECEIVED	1,953	2,235	2,489	2,241	2,540
	CLOSED	1,733	2,021	2,154	2,832	2,427
	PENDING END	432	646	981	390	503

### WILDLIFE AND MARINE RESOURCES SECTION

<u>CATEGORY</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
BALD/GOLDEN EAGLE	RECEIVED	4	0	28	1	0
	CLOSED	6	3	8	4	2
	PENDING END	21	18	38	35	33
ENDANGERED SPECIES	RECEIVED	57	101	204	134	162
	CLOSED	48	32	77	116	78
	PENDING END	248	317	444	462	546
FISH & WILDLIFE	RECEIVED	0	4	0	1	1
	CLOSED	1	0	0	0	4
	PENDING END	1	5	5	6	3
GENERAL WILDLIFE	RECEIVED	1	4	8	6	6
	CLOSED	5	1	0	1	1
	PENDING END	4	7	15	20	25
HORSES & BURROS	RECEIVED	3	2	2	1	0
	CLOSED	1	4	2	5	2
	PENDING END	10	8	8	4	2
LACEY ACT	RECEIVED	52	63	45	96	56
	CLOSED	70	43	52	100	59
	PENDING END	243	263	256	252	249
MAGNUSON ACT	RECEIVED	11	22	24	22	28
	CLOSED	44	11	14	13	41
	PENDING END	84	95	105	114	101
MAJOR LEGISLATIVE PROJ.	RECEIVED	137	73	115	140	180
	CLOSED	131	79	121	120	174
	PENDING END	25	19	13	33	39

# FY88 - FY92

## DIVISION WORKLOAD BY SECTION AND CATEGORY

(Continued)

### WILDLIFE AND MARINE RESOURCES SECTION (Continued)

CATEGORY		FY88	FY89	FY90	FY91	FY92
MARINE MAMMAL	RECEIVED	38	7	8	44	28
	CLOSED	13	1	27	21	12
	PENDING END	90	96	77	100	116
MIGRATORY BIRD	RECEIVED	198	37	7	15	15
	CLOSED	9	92	151	14	56
	PENDING END	337	282	138	139	98
MPRSA	RECEIVED	0	3	3	0	2
	CLOSED	1	2	1	1	0
	PENDING END	4	5	7	6	8
TORT LIABILITY	RECEIVED	2	3	0	2	1
	CLOSED	0	2	3	1	1
	PENDING END	6	7	4	5	5
WHALING CONVENTION	RECEIVED	3	1	1	2	0
	CLOSED	1	0	1	1	0
	PENDING END	4	5	5	6	6
WILDLIFE REFUGE	RECEIVED	1	3	10	3	1
	CLOSED	3	1	4	2	2
	PENDING END	10	12	18	19	18
WILDLIFE SMUGGLING	RECEIVED	0	0	0	11	6
	CLOSED	0	0	0	0	8
	PENDING END	0	0	0	11	9
OTHER	RECEIVED	4	3	1	3	2
	CLOSED	8	6	3	2	5
	PENDING END	17	14	12	13	10
TOTAL	RECEIVED	511	326	456	481	488
	CLOSED	341	277	464	401	445
	PENDING END	1,104	1,153	1,145	1,225	1,268
GRAND TOTALS	RECEIVED	4,187	3,541	4,095	4,045	3,448
	CLOSED	2,720	2,893	4,184	3,882	5,548
	PENDING END	16,395	17,043	16,954	17,117	15,017

**FY92**  
**DIVISION CIVIL, CRIMINAL AND CONDEMNATION CASES**  
**BY JUDICIAL DISTRICT/COURT**  
(Excluding Cases in the Appellate Section and Division Matters)

District	Civil				Criminal				Condemnation				Total			
	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End
ALABAMA, MIDDLE	13	4	2	15	0	0	0	0	13	0	0	13	26	4	2	28
ALABAMA, NORTHRN	55	7	14	48	1	3	1	3	3	3	1	5	59	13	16	56
ALABAMA, SOUTHRN	9	12	6	15	5	2	0	7	12	0	0	12	26	14	6	34
ALASKA	206	39	68	177	153	30	14	169	4	2	2	4	363	71	84	350
ARIZONA	169	21	38	152	34	6	4	36	215	138	8	345	418	165	50	533
ARKANSAS, EASTRN	42	8	10	40	8	1	8	1	45	1	1	45	95	10	19	86
ARKANSAS, WESTRN	31	7	11	27	3	1	0	4	32	18	0	50	66	26	11	81
CALIF., CENTRAL	136	46	32	150	106	6	6	106	38	4	5	37	280	56	43	293
CALIF., EASTERN	184	40	43	181	21	1	4	18	84	9	0	93	289	50	47	292
CALIF., NORTHERN	129	32	28	133	6	3	3	6	121	8	13	116	256	43	44	255
CALIF., SOUTHERN	51	12	11	52	21	9	8	22	18	2	1	19	90	23	20	93
COLORADO	195	53	42	206	42	2	5	39	41	18	12	47	278	73	59	292
CONNECTICUT	49	6	12	43	5	4	3	6	16	3	4	15	70	13	19	64
DELAWARE	28	5	2	31	0	0	0	0	11	0	2	9	39	5	4	40
DIST. COLUMBIA	600	142	418	324	3	0	0	3	39	1	0	40	642	143	418	367
FLORIDA, MIDDLE	89	12	36	65	7	5	3	9	15	5	1	19	111	22	40	93
FLORIDA, NORTHRN	30	9	7	32	3	1	0	4	12	0	0	12	45	10	7	48
FLORIDA, SOUTHRN	107	25	34	98	13	18	3	28	238	1	160	79	358	44	197	205
GEORGIA, MIDDLE	15	6	6	15	7	0	0	7	11	8	1	18	33	14	7	40
GEORGIA, NORTHRN	32	4	9	27	6	0	0	6	4	5	0	9	42	9	9	42
GEORGIA, SOUTHRN	13	5	4	14	1	5	1	5	0	15	3	12	14	25	8	31
GUAM	788	3	764	27	0	4	0	4	11	0	0	11	799	7	764	42
HAWAII	41	10	9	42	8	2	1	9	9	1	0	10	58	13	10	61
IDAH0	92	23	24	91	2	2	0	4	23	0	0	23	117	25	24	118
ILLINOIS, CENTRL	14	3	7	10	2	2	1	3	5	3	2	6	21	8	10	19
ILLINOIS, NORTHRN	84	19	25	78	10	1	3	8	22	0	1	21	116	20	29	107
ILLINOIS, SOUTHRN	29	7	11	25	0	0	0	0	23	0	0	23	52	7	11	48
INDIANA, NORTHRN	86	22	27	81	4	0	0	4	56	0	0	56	146	22	27	141
INDIANA, SOUTHRN	73	18	29	62	0	1	0	1	64	6	0	70	137	25	29	133
IOWA, NORTHERN	16	4	7	13	1	1	1	1	7	0	1	6	24	5	9	20
IOWA, SOUTHERN	19	6	4	21	0	1	0	1	102	0	23	79	121	7	27	101
KANSAS	44	8	13	39	1	0	0	1	10	3	2	11	55	11	15	51
KENTUCKY, EASTRN	184	33	37	180	5	1	3	3	378	8	33	353	567	42	73	536
KENTUCKY, WESTRN	44	11	11	44	10	0	3	7	195	1	2	194	249	12	16	245
LOUISIANA, EAST	58	27	24	61	8	2	2	8	28	2	0	30	94	31	26	99
LOUISIANA, WEST	32	9	7	34	4	2	0	6	56	30	2	84	92	41	9	124
LOUISIANA, MIDDL	13	6	5	14	2	0	0	2	33	57	15	75	48	63	20	91

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**FY92**  
**DIVISION CIVIL, CRIMINAL AND CONDEMNATION CASES**  
**BY JUDICIAL DISTRICT/COURT**  
 (Excluding Cases in the Appellate Section and Division Matters)  
 (Continued)

District	Civil				Criminal				Condemnation				Total			
	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End
MAINE	32	6	15	23	5	0	0	5	60	0	9	51	97	6	24	79
MARYLAND	62	17	17	62	11	0	2	9	53	22	0	75	126	39	19	146
MASSACHUSETTS	133	31	26	138	5	1	2	4	81	5	5	81	219	37	33	223
MICHIGAN, EASTRN	82	17	23	76	3	1	0	4	123	5	49	79	208	23	72	159
MICHIGAN, WESTRN	62	19	8	73	2	2	2	2	24	0	7	17	88	21	17	92
MICRONESIA	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2
MINNESOTA	358	18	226	150	41	2	3	40	91	2	6	87	490	22	235	277
MISSISSIPPI, NOR	21	4	11	14	1	0	0	1	57	7	0	64	79	11	11	79
MISSISSIPPI, SOU	42	13	27	28	5	8	5	8	85	7	11	81	132	28	43	117
MISSOURI, EASTRN	40	4	12	32	8	5	5	8	20	5	1	24	68	14	18	64
MISSOURI, WESTRN	45	4	24	25	7	0	5	2	94	0	20	74	146	4	49	101
MONTANA	158	28	53	133	28	0	7	21	58	0	4	54	244	28	64	208
N. MARINA ISLND	0	0	0	0	1	0	0	1	0	0	0	0	1	0	0	1
N. CAROLINA, EAST	37	8	11	34	6	1	0	7	103	0	0	103	146	9	11	144
N. CAROLINA, MIDL	18	5	3	20	2	0	1	1	19	0	4	15	39	5	8	36
N. CAROLINA, WEST	16	5	7	14	11	1	2	10	6	0	0	6	33	6	9	30
NEBRASKA	25	8	11	22	1	1	1	1	34	2	16	20	60	11	28	43
NEVADA	92	16	11	97	20	0	4	16	27	0	0	27	139	16	15	140
NEW HAMPSHIRE	44	10	10	44	1	2	0	3	27	0	1	26	72	12	11	73
NEW JERSEY	206	51	79	178	13	2	2	13	74	4	1	77	293	57	82	268
NEW MEXICO	156	18	30	144	6	0	1	5	118	9	40	87	280	27	71	236
NEW YORK, EASTRN	57	12	17	52	13	2	0	15	21	1	1	21	91	15	18	88
NEW YORK, NORTRN	64	18	19	63	3	1	1	3	13	1	0	14	80	20	20	80
NEW YORK, SOUTRN	99	15	32	82	6	2	3	5	37	5	3	39	142	22	38	126
NEW YORK, WESTRN	50	9	14	45	8	0	2	6	51	2	1	52	109	11	17	103
NORTH DAKOTA	31	5	4	32	5	0	0	5	48	0	28	20	84	5	32	57
OHIO, NORTHERN	112	28	34	106	15	3	6	12	65	1	0	66	192	32	40	184
OHIO, SOUTHERN	89	25	44	70	6	2	3	5	60	5	0	65	155	32	47	140
OKLAHOMA, EASTRN	52	1	17	36	5	2	4	3	117	1	25	93	174	4	46	132
OKLAHOMA, NORTRN	78	11	20	69	1	1	2	0	67	0	1	66	146	12	23	135
OKLAHOMA, WESTRN	92	24	19	97	7	1	3	5	81	0	3	78	180	25	25	180
OREGON	158	84	37	205	11	0	1	10	12	2	7	7	181	86	45	222
ORIG IN CT OF FED CLS	17	0	1	16	0	0	0	0	0	0	0	0	17	0	1	16*
ORIGINAL APPEAL	673	102	266	509	0	0	0	0	0	0	0	0	673	102	266	509

\* There are 249 additional Court of Federal Claims cases assigned to General Litigation that are classified under specific judicial districts.

**FY92**  
**DIVISION CIVIL, CRIMINAL AND CONDEMNATION CASES**  
**BY JUDICIAL DISTRICT/COURT**  
 (Excluding Cases in the Appellate Section and Division Matters)  
 (Continued)

District	Civil				Criminal				Condemnation				Total			
	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End	Pend Begin	Received	Closed	Pend End
PENN, EASTERN	139	31	27	143	15	2	3	14	28	3	13	18	182	36	43	175
PENN, MIDDLE	51	21	8	64	10	0	0	10	32	8	3	37	93	29	11	111
PENN, WESTERN	102	19	29	92	2	1	1	2	126	38	25	139	230	58	55	233
PUERTO RICO	48	11	6	53	3	0	1	2	3	0	0	3	54	11	7	58
RHODE ISLAND	20	6	3	23	3	0	0	3	0	0	0	0	23	6	3	26
SOUTH CAROLINA	43	23	13	53	5	7	1	11	107	2	3	106	155	32	17	170
SOUTH DAKOTA	81	9	44	46	7	0	2	5	19	0	1	18	107	9	47	69
TENNESSEE, EASTN	152	57	63	146	5	4	3	6	37	0	0	37	194	61	66	189
TENNESSEE, MIDDLE	26	8	14	20	0	0	0	0	17	0	0	17	43	8	14	37
TENNESSEE, WESTN	17	0	0	17	1	0	0	1	15	0	0	15	33	0	0	33
TEXAS, EASTERN	27	8	10	25	36	10	23	23	504	11	187	328	567	29	220	376
TEXAS, SOUTHERN	141	30	71	100	68	13	35	46	149	3	3	149	358	46	109	295
TEXAS, WESTERN	56	11	32	35	8	3	4	7	23	13	2	34	87	27	38	76
TEXAS, NORTHERN	62	13	20	55	15	4	5	14	34	1	2	33	111	18	27	102
UTAH	74	17	17	74	9	1	1	9	175	1	0	176	258	19	18	259
VERMONT	13	12	4	21	3	0	2	1	15	0	4	11	31	12	10	33
VIRGIN ISLANDS	14	3	4	13	5	6	3	8	11	0	0	11	30	9	7	32
VIRGINIA, EASTERN	61	16	17	60	25	10	2	33	109	2	4	107	195	28	23	200
VIRGINIA, WESTERN	66	21	16	71	13	0	1	12	34	3	8	29	113	24	25	112
WASHINGTON, EAST	48	18	15	51	3	1	1	3	63	4	31	36	114	23	47	90
WASHINGTON, WEST	143	41	35	149	26	6	9	23	120	16	68	68	289	63	112	240
WEST VA, NORTH	42	16	11	47	1	0	1	0	288	3	25	266	331	19	37	313
WEST VA, SOUTH	29	13	10	32	4	6	0	10	140	44	4	180	173	63	14	222
WISCONSIN, EAST	35	11	5	41	5	2	3	4	2	0	1	1	42	13	9	46
WISCONSIN, WEST	19	9	5	23	1	0	0	1	30	0	0	30	50	9	5	54
WYOMING	59	19	18	60	42	6	10	38	66	0	2	64	167	25	30	162
Unidentified	85	68	28	125	6	0	0	6	0	0	0	0	91	68	28	131
Total	8,656	1,831	3,490	6,597	1,080	238	255	1,063	5,867	590	924	5,533	15,603	2,659	4,669	13,593

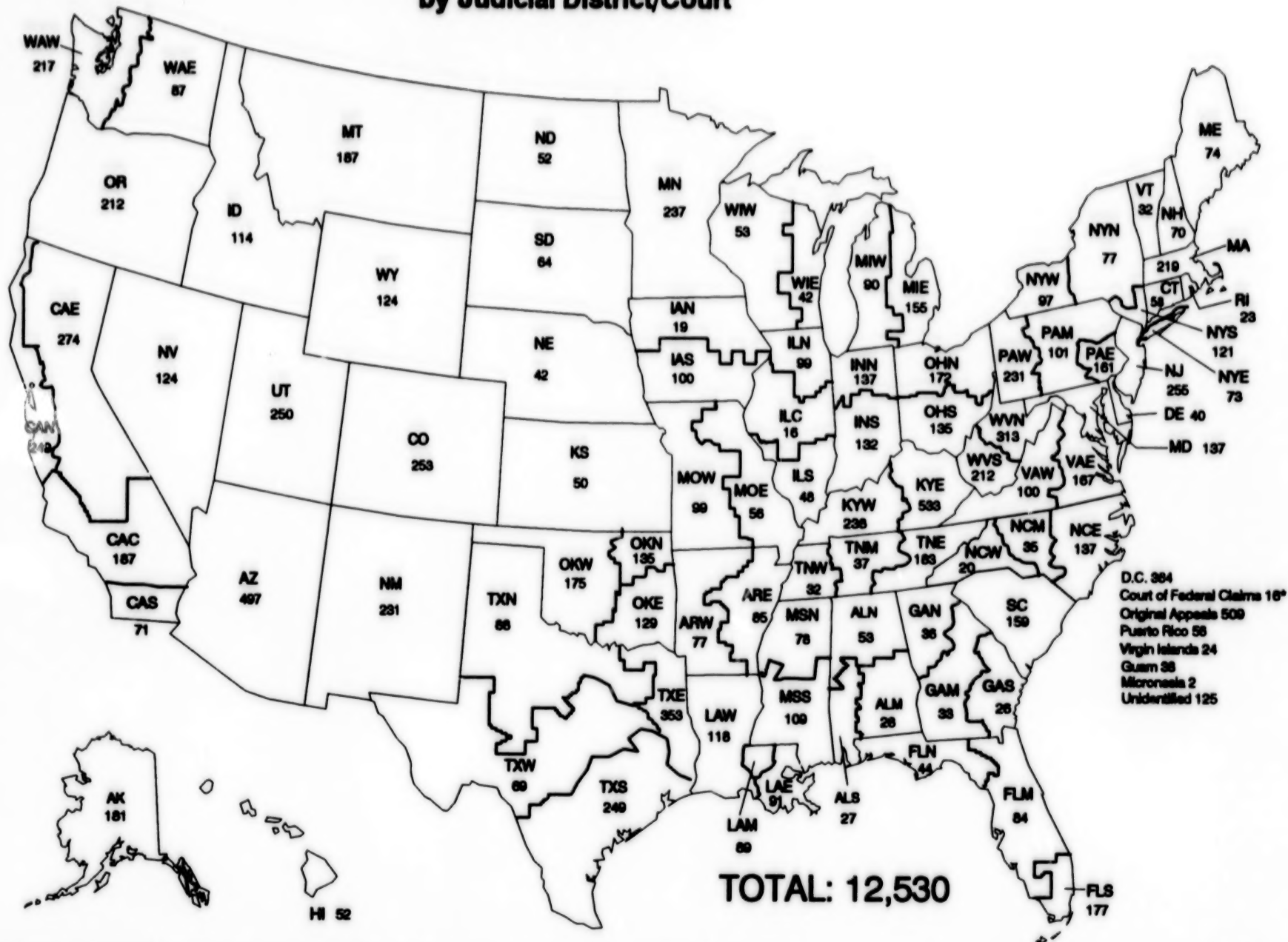
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# FY92 DIVISION CIVIL CASES PENDING AT THE END OF THE FISCAL YEAR by Judicial District/Court



\* There are 249 additional Court of Federal Claims cases assigned to General Litigation that are classified under specific judicial districts.

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# FY92

## DIVISION CASES AND MATTERS BY CLIENT AGENCY (Including Appeals)

AGENCY	PENDING BEGIN	RECEIVED	CLOSED	PENDING END
AGRICULTURE	642	132	260	514
AIR FORCE	363	107	38	432
ARMY	2,863	394	430	2,827
COMMERCE	277	118	103	292
DEFENSE	79	20	20	79
ENERGY	610	44	179	475
ENVIRON PROTECTION AGENCY	3,636	970	1,285	3,321
FED DEPOSIT INSURANCE CORP	10	8	11	7
FED EMERGENCY MGMT AGENCY	232	41	20	253
GENERAL SERVICES ADMIN	174	25	10	189
HEALTH & HUMAN SERVICES	20	4	5	19
HOUSING & URBAN DEVELOPMENT	177	20	157	40
INTERIOR	4,995	735	1,288	4,442
JUSTICE	302	354	182	474
NATL AERO & SPACE ADMIN	19	2	0	21
NAVY	1,162	26	793	395
NUCLEAR REGULATORY COMM	58	13	7	64
PA AVE DEVELOPMENT CORP	23	0	0	23
POSTAL SERVICE	89	17	16	90
SMALL BUSINESS ADMIN	74	7	61	20
STATE	46	5	3	48
TRANSPORTATION	360	87	77	370
TREASURY	17	4	9	12
VETERANS AFFAIRS	159	13	71	101
WASH MET AREA TRANSIT AUTH	61	8	2	67
OTHER*	669	294	521	442
<b>TOTAL</b>	<b>17,117</b>	<b>3,448</b>	<b>5,548</b>	<b>15,017</b>

\* Includes some legislative, congressional and policy issues, and FOIA requests where there is no client agency assigned, as well as instances where the agency's beginning and ending figures include less than 10 cases.

# FY88 - FY92

## DIVISION STATISTICS BY SECTION AND ASSIGNMENT TYPE

### APPELLATE SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
JOINT	RECEIVED	0	1	2	3	9
	CLOSED	1	1	0	3	3
	PENDING END	1	1	3	3	9
STAFF	RECEIVED	319	307	316	289	283
	CLOSED	275	326	264	237	334
	PENDING END	749	730	782	834	783
TOTAL	RECEIVED	319	308	318	292	292
	CLOSED	276	327	264	240	337
	PENDING END	750	731	785	837	792

### ENVIRONMENTAL CRIMES SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
FIELD	RECEIVED	43	44	46	122	59
	CLOSED	6	29	21	58	55
	PENDING END	47	62	87	151	155
JOINT	RECEIVED	39	42	43	67	46
	CLOSED	40	57	31	55	38
	PENDING END	96	81	93	105	113
LOW-MONITOR	RECEIVED	1	6	0	1	0
	CLOSED	0	4	3	1	0
	PENDING END	1	3	0	0	0
STAFF	RECEIVED	215	91	28	29	13
	CLOSED	89	190	38	49	19
	PENDING END	186	87	77	57	51
TOTAL	RECEIVED	298	183	117	219	118
	CLOSED	135	280	93	163	112
	PENDING END	330	233	257	313	319

### ENVIRONMENTAL DEFENSE SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
COORDINATED	RECEIVED	0	1	4	0	7
	CLOSED	0	0	0	2	1
	PENDING END	0	1	5	3	9
DIRECT	RECEIVED	1	1	0	0	13
	CLOSED	0	1	0	1	1
	PENDING END	4	4	4	3	15
FIELD	RECEIVED	40	26	14	18	5
	CLOSED	40	36	39	29	49
	PENDING END	168	158	133	122	78
JOINT	RECEIVED	0	4	4	7	21
	CLOSED	35	24	32	49	80
	PENDING END	199	179	151	109	50

# FY88 - FY92

## DIVISION STATISTICS BY SECTION AND ASSIGNMENT TYPE

(Continued)

### ENVIRONMENTAL DEFENSE (Continued)

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
STAFF	RECEIVED	332	497	909	570	551
	CLOSED	193	181	283	706	895
	PENDING END	1,123	1,439	2,065	1,929	1,585
TOTAL	RECEIVED	373	529	931	595	597
	CLOSED	268	242	354	787	1,026
	PENDING END	1,494	1,781	2,358	2,166	1,737

### ENVIRONMENTAL ENFORCEMENT SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
FIELD	RECEIVED	24	28	21	13	2
	CLOSED	22	39	56	50	14
	PENDING END	190	179	144	107	95
JOINT	RECEIVED	1	2	5	22	2
	CLOSED	3	1	5	46	11
	PENDING END	48	49	49	25	16
STAFF	RECEIVED	494	430	431	520	442
	CLOSED	186	206	499	558	289
	PENDING END	1,462	1,686	1,618	1,580	1,733
TOTAL	RECEIVED	519	460	457	555	446
	CLOSED	211	246	560	654	314
	PENDING END	1,700	1,914	1,811	1,712	1,844

### GENERAL LITIGATION SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
COORDINATED	RECEIVED	9	4	14	8	14
	CLOSED	9	5	3	6	5
	PENDING END	38	37	48	50	59
DIRECT	RECEIVED	0	1	0	0	4
	CLOSED	1	2	2	1	4
	PENDING END	12	11	9	8	8
FIELD	RECEIVED	136	167	165	187	149
	CLOSED	100	94	92	87	160
	PENDING END	504	577	650	750	739
JOINT	RECEIVED	453	312	311	287	176
	CLOSED	232	442	359	300	1,000
	PENDING END	1,853	1,723	1,675	1,662	838
LOW-MONITOR	RECEIVED	232	210	236	167	57
	CLOSED	112	95	563	72	449
	PENDING END	666	781	454	549	157
STAFF	RECEIVED	147	134	111	138	155
	CLOSED	160	95	126	93	191
	PENDING END	747	786	771	816	780
TOTAL	RECEIVED	977	828	837	787	555
	CLOSED	614	733	1,145	559	1,809
	PENDING END	3,820	3,915	3,607	3,835	2,581



# FY88 - FY92

## DIVISION STATISTICS BY SECTION AND ASSIGNMENT TYPE

(Continued)

### INDIAN RESOURCES SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
COORDINATED	RECEIVED	0	2	0	2	0
	CLOSED	0	0	0	0	1
	PENDING END	0	2	2	4	3
DIRECT	RECEIVED	0	2	3	1	1
	CLOSED	0	0	5	0	0
	PENDING END	5	7	5	6	7
FIELD	RECEIVED	7	4	7	18	6
	CLOSED	12	4	32	0	2
	PENDING END	60	60	35	53	57
JOINT	RECEIVED	6	4	5	4	3
	CLOSED	16	5	33	0	5
	PENDING END	111	110	82	86	84
LOW-MONITOR	RECEIVED	0	1	9	3	0
	CLOSED	0	0	0	7	0
	PENDING END	1	2	11	7	7
STAFF	RECEIVED	15	6	16	10	9
	CLOSED	7	6	43	3	151
	PENDING END	341	341	314	321	179
TOTAL	RECEIVED	28	19	40	38	19
	CLOSED	35	15	113	10	159
	PENDING END	518	522	449	477	337

### LAND ACQUISITION SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
FIELD	RECEIVED	587	401	392	335	277
	CLOSED	499	197	391	451	394
	PENDING END	3,105	3,309	3,310	3,194	3,077
JOINT	RECEIVED	145	142	153	141	213
	CLOSED	175	38	117	219	251
	PENDING END	1,353	1,457	1,493	1,415	1,377
STAFF	RECEIVED	230	147	122	334	100
	CLOSED	141	522	296	290	279
	PENDING END	1,763	1,388	1,214	1,258	1,079
TOTAL	RECEIVED	962	690	667	810	590
	CLOSED	815	757	804	960	924
	PENDING END	6,221	6,154	6,017	5,867	5,533

# FY88 - FY92

## DIVISION STATISTICS BY SECTION AND ASSIGNMENT TYPE

(Continued)

### PLSL SECTION

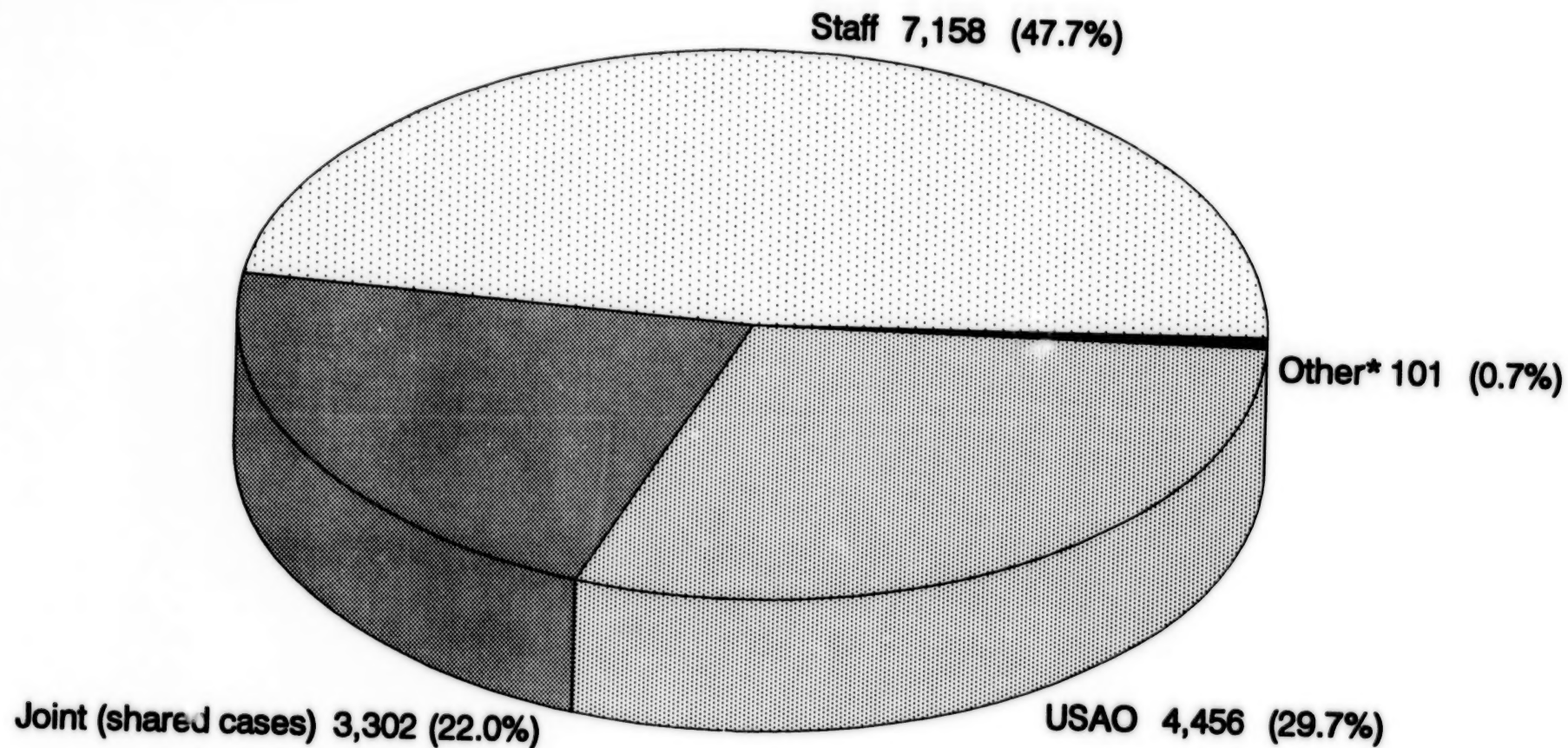
<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
STAFF	RECEIVED	200	198	272	268	343
	CLOSED	25	16	387	108	422
	PENDING END	458	640	525	685	606
TOTAL	RECEIVED	200	198	272	268	343
	CLOSED	25	16	387	108	422
	PENDING END	458	640	525	685	606
<u>PLSL SUPPLEMENTAL WORKLOAD</u>						
STAFF	RECEIVED	1,953	2,235	2,489	2,241	2,540
	CLOSED	1,733	2,021	2,154	2,832	2,427
	PENDING END	432	646	981	390	503

### WILDLIFE AND MARINE RESOURCES SECTION

<u>ASSIGNMENT TYPE</u>		<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>
COORDINATED	RECEIVED	0	1	0	0	0
	CLOSED	0	0	0	0	1
	PENDING END	0	1	1	1	0
FIELD	RECEIVED	6	21	28	35	40
	CLOSED	1	1	5	12	22
	PENDING END	7	27	50	73	91
JOINT	RECEIVED	317	167	242	205	156
	CLOSED	119	164	250	187	168
	PENDING END	814	817	809	827	815
STAFF	RECEIVED	188	137	186	241	292
	CLOSED	221	112	209	202	254
	PENDING END	283	308	285	324	362
TOTAL	RECEIVED	511	326	456	481	488
	CLOSED	341	277	464	401	445
	PENDING END	1,104	1,153	1,145	1,225	1,268
GRAND TOTAL	RECEIVED	4,187	3,541	4,095	4,045	3,448
	CLOSED	2,720	2,893	4,184	3,882	5,548
	PENDING END	16,395	17,043	16,954	17,117	15,017

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**FY92**  
**CASES PENDING BY ASSIGNMENT RESPONSIBILITY**

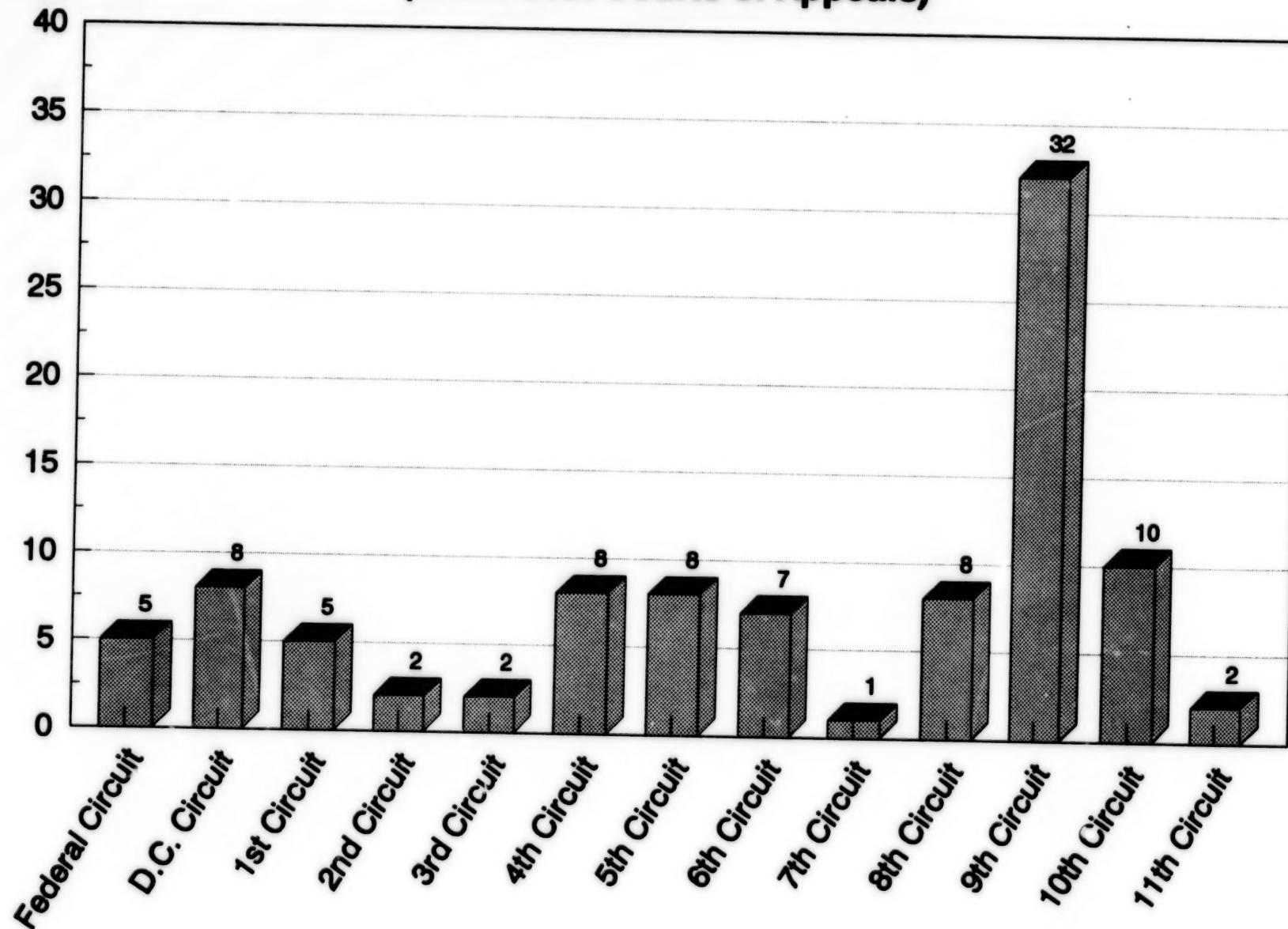


\* Represents cases that are shared with other legal Divisions and cases that are referred directly to the USAO by the client agency.

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**FY92**  
**APPELLATE SECTION ORAL ARGUMENTS**  
**(In the U.S. Courts of Appeals)**

ARGUMENTS



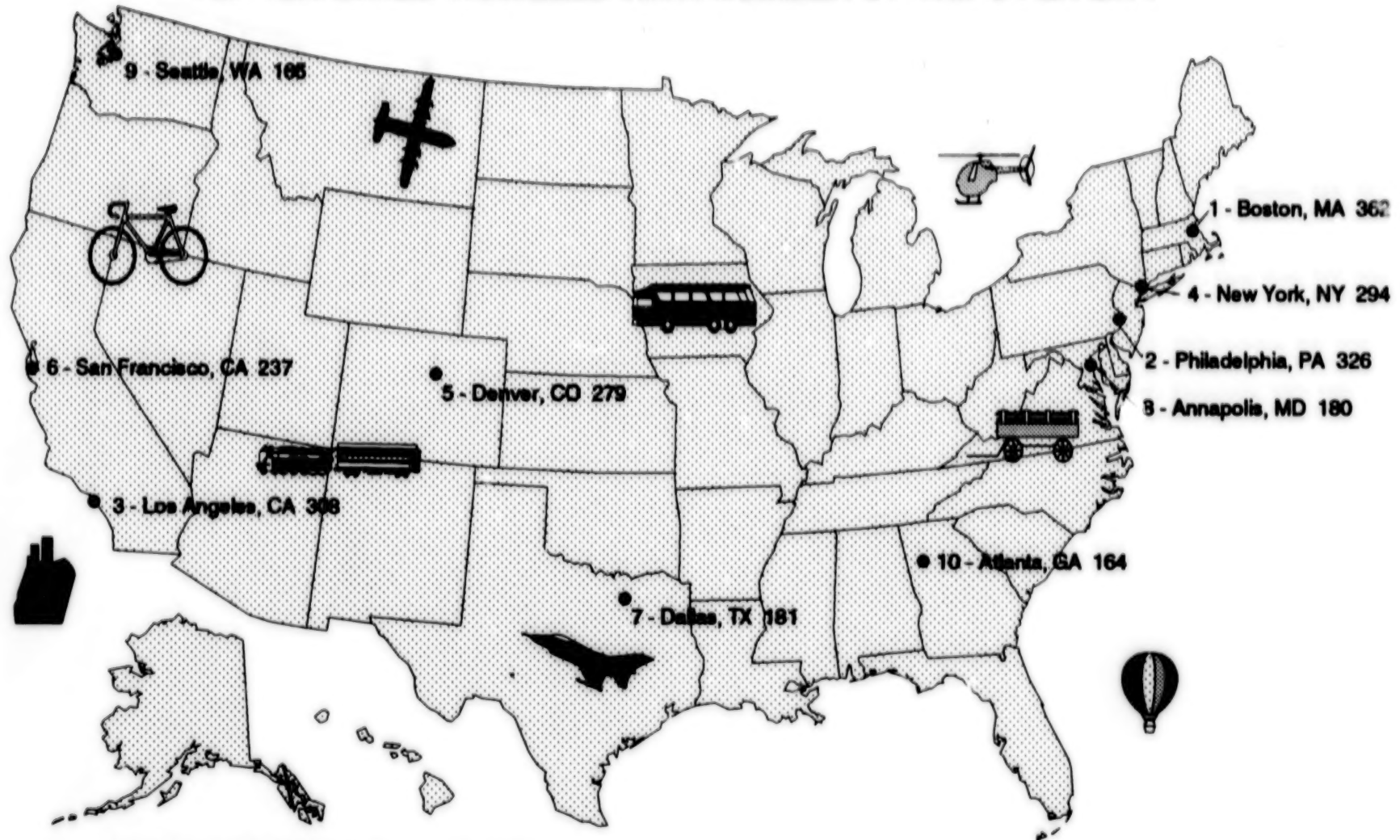
**Total Arguments: 98**



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# FY92 DIVISION TRAVEL

## TOP TEN CITIES TRAVELED WITH NUMBER OF TRIPS PER CITY



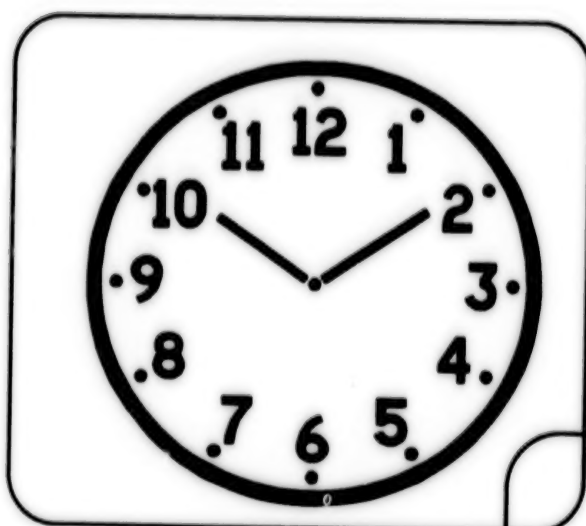
TOTAL DIVISION TRAVEL: 7,203 TRIPS

TOTAL TRAVEL TO TOP TEN CITIES - 2,497 TRIPS

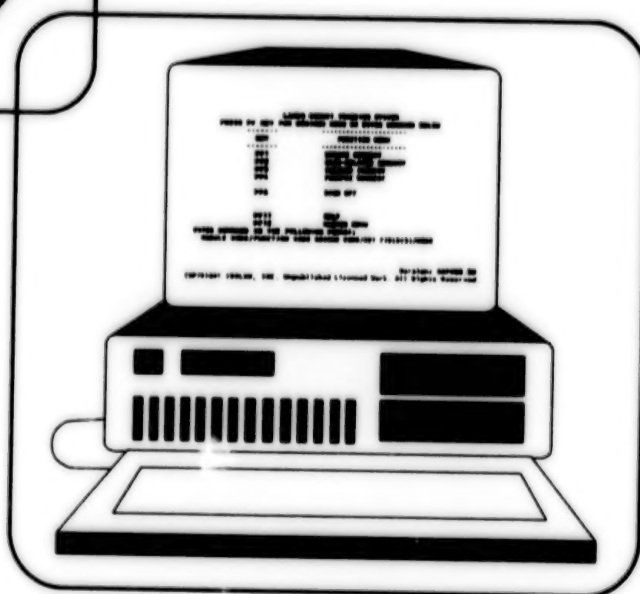
NOTE: The number of trips to the top 10 cities represents 34.7% of all Division travel.

# Section 3

## Case Time Analyses



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# FY92 ATTORNEY TIME ON CASES AND CATEGORIES BY SECTION

SECTION		CASES	PROF DEVEL	LEGIS	CLIENT COUNSEL	SUPERV ADMIN	LEAVE	OTHER	TOTAL	COURT	OVERTIME
ADMINISTRATION (Litigation Support)	Hours Percent	3521.50 46.9	229.50 3.1		42.75 .6	1109.75 14.8	692.50 9.2	1914.50 25.5	7510.50 100.0		538.00 7.2
APPELLATE	Hours Percent	42008.25 75.0	486.25 .9	3.00	95.75 .2	4302.50 7.7	6989.50 12.5	2107.75 3.8	55993.00 100.0	288.50 .5	7171.50 12.8
ENVIRONMENTAL CRIMES	Hours Percent	32575.50 47.2	11279.50 16.3	1872.75 2.7	2098.50 3.0	11038.25 16.0	8369.75 12.1	1771.00 2.6	69005.25 100.0	1097.25 1.6	11266.25 16.3
ENVIRONMENTAL DEFENSE	Hours Percent	91702.50 73.4	4116.50 3.3	59.25	764.50 .6	12065.50 9.7	11656.75 9.3	4554.00 3.6	124919.00 100.0	1216.00 1.0	22028.75 17.6
ENVIRONMENTAL ENFORCEMENT	Hours Percent	267642.50 69.2	12928.00 3.3	245.00 .1	3373.50 .9	47246.50 12.2	42999.75 11.1	12549.75 3.2	386985.00 100.0	2756.50 .7	68426.75 17.7
GENERAL LITIGATION	Hours Percent	96484.75 76.8	4073.25 3.2	1051.50 .8	853.00 .7	5686.50 4.5	14426.50 11.5	2997.25 2.4	125572.75 100.0	2342.75 1.9	23828.75 19.0
INDIAN RESOURCES	Hours Percent	21196.25 73.6	608.00 2.1	16.00 .1	47.00 .2	3257.00 11.3	3234.50 11.2	438.75 1.5	28797.50 100.0	695.00 2.4	5727.50 19.9
LAND ACQUISITION	Hours Percent	24389.75 63.4	2414.50 6.3	8.00	931.50 2.4	3462.00 9.0	4690.25 12.2	2599.25 6.8	38495.25 100.0	572.50 1.5	3941.00 10.2
PLSL	Hours Percent	17150.00 61.0	1734.50 6.2	3795.00 13.5	21.00 .1	1546.00 5.5	3409.50 12.1	480.50 1.7	28136.50 100.0	27.50 .1	4603.50 16.4
SPECIAL LITIGATION	Hours Percent	2302.00 91.0	25.00 1.0		8.00 .3	6.00 .2	176.00 7.0	13.00 .5	2530.00 100.0	57.00 2.3	434.00 17.2
WILDLIFE	Hours Percent	21212.50 76.0	770.75 2.8	312.00 1.1	612.50 2.2	1390.00 5.0	3253.00 11.7	371.50 1.3	27922.25 100.0	447.25 1.6	4282.25 15.3
* DIVISION TOTALS *	Hours Percent	620185.50 69.2	38665.75 4.3	7362.50 .8	8848.00 1.0	91110.00 10.2	99898.00 11.2	29797.25 3.3	895867.00 100.0	9500.25 1.1	152248.25 17.0

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# FY92 PARALEGAL TIME ON CASES AND CATEGORIES BY SECTION

SECTION		CASES	PROF DEVEL	LEGIS	CLIENT COUNSEL	SUPERV ADMIN	LEAVE	OTHER	TOTAL	COURT	OVERTIME
ADMINISTRATION (Litigation Support)	Hours Percent	16308.00 51.4	575.50 1.8		18.00 .1	5132.75 16.2	3826.25 12.0	5897.75 18.6	31758.25 100.0	69.50 .2	4186.25 13.2
APPELLATE	Hours Percent	1012.25 36.9	23.00 .8				397.00 14.5	1310.50 47.8	2742.75 100.0	40.00 1.5	11.50 .4
ENVIRONMENTAL CRIMES	Hours Percent	10430.00 56.7	662.25 3.6	178.00 1.0		3420.50 18.6	2684.75 14.6	1027.25 5.6	18402.75 100.0	119.00 .6	1389.25 7.5
ENVIRONMENTAL DEFENSE	Hours Percent	14198.75 71.6	806.25 4.1	.50	6.00	1360.50 6.9	2908.75 14.7	537.75 2.7	19818.50 100.0	16.25 .1	910.00 4.6
ENVIRONMENTAL ENFORCEMENT	Hours Percent	62386.00 64.0	2459.50 2.5	89.50 .1	24.50	8450.25 8.7	16512.25 17.0	7482.00 7.7	97404.00 100.0	421.75 .4	7109.50 7.3
GENERAL LITIGATION	Hours Percent	16723.50 65.6	732.75 2.9	26.00 .1	13.00 .1	1620.75 6.4	4017.00 15.8	2371.25 9.3	25504.25 100.0	17.00 .1	1091.50 4.3
INDIAN RESOURCES	Hours Percent	686.75 72.1	114.25 12.0			14.75 1.5	36.00 3.8	100.25 10.5	952.00 100.0	8.25 .9	48.00 5.0
LAND ACQUISITION	Hours Percent	5717.50 59.9	234.75 2.5	37.00 .4	821.00 8.6	53.00 .6	1562.00 16.4	1123.25 11.8	9548.50 100.0	16.00 .2	245.50 2.6
PLSL	Hours Percent	2702.00 55.8	105.75 2.2	498.25 10.3		20.25 .4	614.75 12.7	897.00 18.5	4838.00 100.0	3.50 .1	332.50 6.9
SPECIAL LITIGATION	Hours Percent	1495.00 71.0					304.00 14.4	305.50 14.5	2104.50 100.0		8.50 .4
WILDLIFE	Hours Percent	1586.75 48.7	152.75 4.7		56.00 1.7	10.50 .3	366.50 11.2	1088.50 33.4	3261.00 100.0	1.50	95.50 2.9
* DIVISION TOTALS *	Hours Percent	133246.50 61.6	5866.75 2.7	829.25 .4	938.50 .4	20083.25 9.3	33229.25 15.4	22141.00 10.2	216334.50 100.0	712.75 .3	15428.00 7.1

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# FY92

## DIVISION TOP TWENTY CASES AND MATTERS

(\* = SUPERFUND)

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
* 90-11-2-137B	U.S. V WILLIAM M. DAVIS	ENVR ENFOR	12,096.25
* 90-11-2-689	IN RE: NATIONAL GYPSUM COMPANY	ENVR ENFOR	8,336.25
* 90-7-1-618	IN RE: C F & I FABRICATORS OF UTAH	ENVR ENFOR	7,115.50
90-1-2-1337	U.S. & FLORIDA AUDUBON SOCIETY, ET AL V SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ET AL	GENERL LIT	6,187.00
* 90-11-3-417	U.S. V NIAGARA TRANSFORMER CORPORATION, ET AL	ENVR ENFOR	5,724.00
* 90-11-3-511	U.S. V MONTROSE CHEMICAL COMPANY	ENVR ENFOR	5,652.25
90-11-2-204	U.S. V MARINE SHALE PROCESSORS, INC.	ENVR ENFOR	5,586.75
* 90-11-2-649	U.S. V SHAFFER EQUIPMENT COMPANY	ENVR ENFOR	5,390.75
* 90-5-1-1-1229	U.S. V OCCIDENTAL CHEMICAL CORPORATION (LOVE CANAL - HOOKER CHEMICALS & PLASTICS CORP)	ENVR ENFOR	5,375.50
90-5-2-1-1020	U.S. V MOBIL CHEMICAL COMPANY (SUBSIDIARY OF MOBIL OIL CORP.)	ENVR ENFOR	5,216.75
90-1-0-2512	EXECUTIVE ORDER 12630: TAKINGS	GENERL LIT	4,968.50
* 90-11-2-3A	U.S. V SHELL OIL COMPANY	ENVR ENFOR	4,962.50
198-76-4	U.S. V CRAVEN LABORATORIES & DON ALLEN CRAVEN	ENVR CRIME	4,267.50
90-7-1-587	U.S. V BETHLEHEM STEEL CORPORATION	ENVR ENFOR	4,104.75
90-5-1-1-3343	U.S. V EXXON SHIPPING COMPANY	ENVR ENFOR	3,855.00
90-6-2-28	U.S. OBO TORRES-MARTINEZ BAND V IMPERIAL AND COACHELLA VALLEY IRRIGATION DISTRICTS	INDIAN RES	3,623.00
* 198-13-1	INVESTIGATIVE MATTER	ENVR CRIME	3,475.00
90-6-2-63	IN THE MATTER OF IDAHO WATER ADJUDICATION	INDIAN RES	3,246.00
* 90-11-3-21	CADILLAC/FAIRVIEW/CALIFORNIA, INC., ET AL V GSA	ENVR DEFEN	3,160.75
* 90-11-3-145	U.S. V ALUMINUM COMPANY OF AMERICA	ENVR ENFOR	3,072.75
		TOTAL	105,416.75

**FY90 - FY92**  
**DIVISION TOP TWENTY CASES AND MATTERS**  
 (\* = SUPERFUND)

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-1-2-1337	U.S. & FLORIDA AUDUBON SOCIETY, ET AL V SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ET AL	GENEAL LIT	26,653.25
90-5-1-1-3343	U.S. V EXXON SHIPPING COMPANY	ENVR ENFOR	26,448.75
* 90-11-3-91	U.S. V CHARLES GEORGE TRUCKING COMPANY, INC., ET AL	ENVR ENFOR	24,159.50
* 90-11-2-32	U.S. V AEROVOX CORPORATION, ET AL	ENVR ENFOR	23,385.00
198-6-1	U.S. V EXXON - VALDEZ	ENVR CRIME	23,203.75
* 198-13-1	INVESTIGATIVE MATTER	ENVR CRIME	21,642.75
90-1-2-892	WATER DIVISION #1, STATE OF COLORADO	GENEAL LIT	19,002.00
* 90-11-2-137B	U.S. V WILLIAM M. DAVIS	ENVR ENFOR	18,392.75
90-11-2-204	U.S. V MARINE SHALE PROCESSORS, INC.	ENVR ENFOR	17,614.00
* 90-5-1-1-1229	U.S. V OCCIDENTAL CHEMICAL CORPORATION (LOVE CANAL - HOOKER CHEMICALS & PLASTICS CORP)	ENVR ENFOR	14,718.50
* 90-11-2-24	U.S. V J.B. STRINGFELLOW ACID PITS (STRINGFELLOW SITE)	ENVR ENFOR	14,201.75
90-11-3-26	U.S. V ALLIED CHEMICAL COMPANY	ENVR ENFOR	13,859.00
90-11-2-73	U.S. V SHELL OIL COMPANY (ROCKY MOUNTAIN ARSENAL)	ENVR ENFOR	13,417.50
90-5-1-1-2987	U.S. V CITY OF SAN DIEGO, CA	ENVR ENFOR	10,767.25
90-1-0-2512	EXECUTIVE ORDER 12630: TAKINGS	GENEAL LIT	10,673.75
* 90-11-3-86	U.S. V ROHN & HAAS COMPANY; OMEGA-ILLINOIS; & CBS RECORDS (LIPARI LANDFILL)	ENVR ENFOR	10,586.00
* 90-7-1-30A	U.S. V ROYAL N. HARDAGE (CRINER SITE)	ENVR ENFOR	10,521.00
* 90-11-2-689	IN RE: NATIONAL GYPSUM COMPANY	ENVR ENFOR	10,158.75
90-6-2-63	IN THE MATTER OF IDAHO WATER ADJUDICATION	INDIAN RES	9,524.75
* 90-7-1-1	U.S. V MIDWEST SOLVENT RECOVERY, INC., ET AL	ENVR ENFOR	7,996.00
TOTAL			326,926.00

# FY92

## SECTION TOP TEN CASES AND MATTERS

(\* = Superfund)

### Administration (Litigation Support)

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-11-2-73	U.S. V SHELL OIL COMPANY (ROCKY MOUNTAIN ARSENAL)	ENVR ENFOR	2,737.00
90-93	CRIMINAL DIVISION MATTERS	EX. OFFICE	1,705.00
* 90-11-2-137B	U.S. V WILLIAM M. DAVIS	ENVR ENFOR	1,293.00
90-5-1-1-3343	U.S. V EXXON SHIPPING COMPANY	ENVR ENFOR	1,104.00
* 90-11-3-511	U.S. V MONTROSE CHEMICAL COMPANY	ENVR ENFOR	1,010.25
90-1-2-1337	U.S. & FLORIDA AUDUBON SOCIETY, ET AL V SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ET AL	GENERL LIT	630.00
* 90-5-1-1-1229	U.S. V OCCIDENTAL CHEMICAL CORPORATION (LOVE CANAL - HOOKER CHEMICALS & PLASTICS CORP)	ENVR ENFOR	623.50
90-2-20-965	CUYAPAIPE BAND OF MISSION INDIANS V U.S.	GENERL LIT	610.00
90-8-1-364	OPERATION RENEGADE	WILDLIFE	574.50
* 90-11-2-689	IN RE: NATIONAL GYPSUM COMPANY	ENVR ENFOR	517.50
			-----
		TOTAL	10,804.75

### Appellate Section

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-6-2-63	IN THE MATTER OF IDAHO WATER ADJUDICATION	INDIAN RES	799.00
90-6-7-470	JENNY MANYBEADS, ET AL V UNITED STATES OF AMERICA, ET AL	INDIAN RES	719.00
90-1-0-2662	STATE OF NEW MEXICO, ET AL V JAMES D. WATKINS, SECY OF DEPT OF ENERGY, ET AL	GENERL LIT	678.25
90-8-6-108	EARTH ISLAND INSTITUTE, ET AL V VERITY, ET AL	WILDLIFE	577.00
90-1-18-2915	SAVE OUR CUMBERLAND MOUNTAINS, INC., ET AL V JAMES G. WATT, ET AL	GENERL LIT	575.25
90-1-24-335	THE STATE OF NEW YORK, ET AL V THE UNITED STATES; JAMES D. WATKINS, ET AL	PLSL	565.50
90-1-18-5136	BELVILLE MINING COMPANY, INC. V U.S.	GENERL LIT	549.25
90-1-2-1337	U.S. & FLORIDA AUDUBON SOCIETY, ET AL V SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ET AL	GENERL LIT	501.50
90-6-2-17	STATE OF WASHINGTON DEPARTMENT OF ECOLOGY V JAMES J ACQUAVELLA, ET AL	INDIAN RES	461.25
90-1-5-2694	OLIVE WHEELER V UNITED STATES	GENERL LIT	449.50
			-----
		TOTAL	5,875.50

**FY92**  
**SECTION TOP TEN CASES AND MATTERS**  
 (\* = Superfund)  
 (Continued)

**Environmental Crimes Section**

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
198-76-4	U.S. V CRAVEN LABORATORIES & DON ALLEN CRAVEN	ENVR CRIME	4,209.50
* 198-13-1	INVESTIGATIVE MATTER	ENVR CRIME	3,378.50
* 198-70-5	U.S. V RETICELL, INC.	ENVR CRIME	2,927.50
* 198-8-1	U.S. V J. MORRISON AND J. BARNETT	ENVR CRIME	2,561.25
198-46-2	U.S. V HI-SHEAR TECHNOLOGY CORPORATIONS	ENVR CRIME	2,079.50
* 198-6-2	U.S. V JOHN CURTIS	ENVR CRIME	1,652.00
198-59-1	SEQUOYAH COUNTY UTILITY SERVICE AUTHORITY (SCUSA)	ENVR CRIME	1,601.50
198-63-1	SUNRISE REAL ESTATE AND SUNNYLANDS, INC.	ENVR CRIME	1,115.00
198-87-7	IN RE: GOLDEN EAGLE (GOLDEN EAGLE)	ENVR CRIME	1,014.50
198-90-5	U.S. V VIALCO	ENVR CRIME	940.00
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		TOTAL	21,479.25

**Environmental Defense Section**

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
* 90-11-3-21	CADILLAC/FAIRVIEW/CALIFORNIA, INC., ET AL V GSA	ENVR DEFEN	2,993.50
90-11-3-502	U.S. V SHELL OIL COMPANY, ET AL	ENVR DEFEN	2,811.50
90-11-3-582	U.S. V VERTAC CHEMICAL CORP. & HERCULES, INC.	ENVR DEFEN	2,152.00
90-5-1-1-3404	U.S. V HAMM'S HOLIDAY HARBOR, INC. & RICHARD E. HAMM	ENVR DEFEN	1,597.50
90-5-1-5-91	LYKES BROS., INC., A FLORIDA CORP., V U.S. ARMY CORPS OF ENGINEERS	ENVR DEFEN	1,550.25
90-11-3-501	FMC CORPORATION V DEPT. OF COMMERCE	ENVR DEFEN	1,548.75
90-11-3-803	VINNELL MINING & MINERALS CORP. & ATLAS CORP. V U.S., ET AL	ENVR DEFEN	1,460.25
90-5-1-1-3561	U.S. V WINDWARD PROPERTIES, INC.	ENVR DEFEN	1,348.50
90-11-3-630	IRON MOUNTAIN MINE V BUREAU OF RECLAMATION	ENVR DEFEN	1,325.00
90-7-4-2	STATE OF NEW YORK V ALLIED CORP., ET AL	ENVR DEFEN	1,313.50
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		TOTAL	18,100.75



# FY92

## SECTION TOP TEN CASES AND MATTERS

(\* = Superfund)  
(Continued)

### Environmental Enforcement Section

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
* 90-11-2-137B	U.S. V WILLIAM M. DAVIS	ENVR ENFOR	10,726.75
* 90-11-2-689	IN RE: NATIONAL GYPSUM COMPANY	ENVR ENFOR	7,818.75
* 90-7-1-618	IN RE: C F & I FABRICATORS OF UTAH	ENVR ENFOR	6,764.00
* 90-11-3-417	U.S. V NIAGARA TRANSFORMER CORPORATION, ET AL	ENVR ENFOR	5,608.00
90-11-2-204	U.S. V MARINE SHALE PROCESSORS, INC.	ENVR ENFOR	5,352.75
90-5-2-1-1020	U.S. V MOBIL CHEMICAL (SUBSIDIARY MOBIL OIL CORP.)	ENVR ENFOR	5,216.75
* 90-11-2-649	U.S. V SHAFFER EQUIPMENT COMPANY	ENVR ENFOR	5,151.25
* 90-11-2-3A	U.S. V SHELL OIL COMPANY	ENVR ENFOR	4,844.50
* 90-5-1-1-1229	U.S. V OCCIDENTAL CHEMICAL CORPORATION (LOVE CANAL - HOOKER CHEMICALS & PLASTICS CORP)	ENVR ENFOR	4,750.50
* 90-11-3-511	U.S. V MONTROSE CHEMICAL COMPANY	ENVR ENFOR	4,640.00
			-----
TOTAL			60,873.25

### General Litigation Section

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-1-0-2512	EXECUTIVE ORDER 12630: TAKINGS	GENEAL LIT	4,968.50
90-1-2-1337	U.S. & FLORIDA AUDUBON SOCIETY, ET AL V SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ET AL	GENEAL LIT	4,459.50
90-1-2-1313	AMERICAN WATER DEVELOPMENT, INC., BACA RANCH CO. & BACA CORP. IN SAGUACHE COUNTY V UNITED STATES	GENEAL LIT	2,242.00
90-2-20-965	CUYAPAIPE BAND OF MISSION INDIANS V U.S.	GENEAL LIT	2,172.00
90-1-2-1259	STATE OF KANSAS V STATE OF COLORADO & UNITED STATES, DFT-INTERVENOR	GENEAL LIT	2,108.00
90-1-2-1233	MONTANA WATER RIGHTS GENERAL ADJUDICATIONS	GENEAL LIT	1,951.00
90-6-2-63C	SNAKE RIVER BASIN WATER SYSTEM (IN RE: THE GENERAL ADJUDICATION OF RIGHTS TO USE OF WATER)	GENEAL LIT	1,949.75
90-1-23-2595	WHITNEY BENEFITS, INC., & PETER KIEWIT SONS' CO. V UNITED STATES	GENEAL LIT	1,776.00
90-1-23-3060	E. WAYNE HAGE & JEAN M. HAGE V UNITED STATES	GENEAL LIT	1,767.50
90-1-0-2662	STATE OF NEW MEXICO, ET AL V JAMES D. WATKINS, SECY OF DEPT OF ENERGY, ET AL	GENEAL LIT	1,746.50
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TOTAL			25,140.75

# FY92

## SECTION TOP TEN CASES AND MATTERS

(\* = Superfund)  
(Continued)

### Indian Resources Section

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-6-2-28	U.S. OBO TORRES-MARTINEZ BAND V IMPERIAL AND COACHELLA VALLEY IRRIGATION DISTRICTS	INDIAN RES	3,572.00
90-6-2-63	IN THE MATTER OF IDAHO WATER ADJUDICATION	INDIAN RES	1,990.50
90-6-2-17	STATE OF WASHINGTON DEPARTMENT OF ECOLOGY V JAMES J ACQUAVELLA, ET AL	INDIAN RES	1,879.00
90-2-11-6742	IVAN SIDNEY, ET AL V PETERSON ZAH, ET AL	INDIAN RES	1,617.00
90-6-2-6	U.S. V GILA RIVER WATER COMMISSIONER	INDIAN RES	1,346.00
90-6-6-203	ARKANSAS RIVERBED CLAIMS	INDIAN RES	1,078.50
90-6-4-26	U.S. V UNION TOWNSHIP, COUNTY OF ISABELLA, AND STATE OF MICHIGAN	INDIAN RES	1,063.00
90-6-2-54	IN THE MATTER OF STATE OF ARIZONA AND THE LITTLE COLORADO RIVER SYSTEM	INDIAN RES	770.00
90-6-2-47	IN RE: GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE GILA RIVER SYSTEM AND SOURCE	INDIAN RES	760.00
90-6-2-12	IN RE: GENERAL ADJUDICATION OF ALL RIGHTS TO USE WATER IN THE BIG HORN RIVER SYSTEM AND ALL OTHER	INDIAN RES	704.00
			-----
TOTAL			14,780.00

### Land Acquisition Section

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
33-5-1946-30	U.S. V 42.13 ACRES MORE OR LESS IN TUOLUMNE & CALAVERAS CO., CA, AND PACIFIC GAS & ELEC., ET AL	LAND ACQUI	2,574.50
33-21-525-232	WMATA V 7.65 ACRES IN MONTGOMERY CO., MD AND WHEATON PLAZA REGIONAL SHOPPING CTR, ET AL	LAND ACQUI	2,460.50
33-12-259-1	U.S. V 436.97 ACRES SITUATED IN COUNTY AND ISLAND OF MAUI, HI, AND ALEXANDER & BALDWIN, INC., ET AL	LAND ACQUI	1,772.50
33-5-2260-4	U.S. V 86.38 ACRES OF LAND SITUATE IN ORANGE CO., CALIFORNIA, AND MOBIL OIL CORPORATION, ET AL	LAND ACQUI	1,755.50
33-6-498	U.S. V 109.63 ACRES IN MESA COUNTY, COLORADO, AND BEN A. POWER, ET AL	LAND ACQUI	1,224.00
33-30-345	U.S. V 14.87 ACRES SITUATED IN ROCKINGHAM CO., NH, AND NEW ENGLAND TANK INDUSTRIES OF NH, INC., ET AL	LAND ACQUI	1,161.75
33-3-300-128	U.S. V 1,244.82 ACRES IN MARICOPA AND YAVAPAI COS., AZ, & PLEASANT COUNTRY LIMITED, ET AL	LAND ACQUI	1,062.00
33-12-262	U.S. V 15,715.544 ACRES OF LAND, LOCATED IN HAWAII, AND WORLD UNION INDUSTRIAL CORP, LTD.	LAND ACQUI	1,003.50
33-31-572-1	U.S. V 8,000 ACRES SITUATED IN BURLINGTON CO., NJ, AND ROBERT KAUFMAN, ET AL	LAND ACQUI	873.50
33-5-3088	U.S. V 78,188 SQ FT SITUATE IN LOS ANGELES CO., CA, AND KENNETH M. CAMPIA, ET AL	LAND ACQUI	815.75
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TOTAL			14,703.50

**FY92**  
**SECTION TOP TEN CASES AND MATTERS**  
 (\* = Superfund)  
 (Continued)

**PLSL Section**

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-1-4-3721	PUBLIC CITIZEN, ET AL V OFFICE OF UNITED STATES TRADE REPRESENTATIVE, ET AL, AND GEORGE BUSH	GENEAL LIT	1,025.00
90-1-4-3440	RESOURCES LIMITED, INC., ET AL V F. DALE ROBERTSON, ET AL	GENEAL LIT	823.50
236380-4-1	FREEDOM OF INFORMATION ACT REQUESTS	PLSL	784.75
90-1-24-183	IN THE MATTER OF CONGRESSIONAL INQUIRIES	PLSL	589.50
90-1-4-3709	NOAA V FEDERAL ENERGY REGULATORY COMMISSION	APPELLATE	588.75
90-8-6-231	EDWARD WILKINSON MUDD, JR. V WILLIAM REILLY, ADM., EPA	WILDLIFE	588.25
90-1-24-417	INTERNATIONAL TRADE ISSUES AFFECTING THE ENVIRONMENT	PLSL	584.75
90-1-24-403	CLEAN AIR ACT AMENDMENTS IMPLEMENTATION	PLSL	579.00
90-1-24-177	IN THE MATTER OF CITIZENS SUITS--GENERAL	PLSL	541.25
90-8-6-194	LANE COUNTY AUDUBON, SIUSLAH TASK FORCE, ET AL V CY JANISON (JANISON STRATEGY)	WILDLIFE	525.00
			-----
		TOTAL	6,629.75

**Special Litigation**

DJ NUMBER	CASE NAME	CASE SECTION	TOTAL HOURS
90-2-4-171	PYRAMID LAKE PAIUTE TRIBE OF INDIANS V WALTER J. NICKEL, SECY OF DOI, ET AL	GENEAL LIT	927.00
90-1-2-1382	STATE OF SOUTH DAKOTA V COL. NEEDHAM, ET AL	GENEAL LIT	626.00
90-1-0-2535	UNITED TEXAS TRANSMISSION CO. V US ARMY CORPS OF ENGINEERS, GALVESTON DIST., ET AL	GENEAL LIT	597.00
90-1-0-2481	U.S. V CITY OF EDMOND & DEMOND PUBLIC WORKS AUTHORITY	GENEAL LIT	386.00
90-1-4-3829	STATE OF MISSOURI V COLONEL STEWART H. BORNHOFT, DISTRICT ENGINEER, ARMY CORPS OF ENGINEERS	GENEAL LIT	286.00
90-1-4-3326	SOUTH CAROLINA DEPT OF WILDLIFE & MARINE RESOURCES, ET AL V JOHN O. MARSH, SECY OF ARMY, ET AL	GENEAL LIT	227.00
90-1-23-2432	TOWN OF NORTH BONNEVILLE V UNITED STATES	GENEAL LIT	219.00
227333	U.S. V ALPINE LAND & RESERVOIR COMPANY	GENEAL LIT	110.00
90-1-18-5713	UNITED STATES OF AMERICA V SAN LUIS OBISPO COUNTY	GENEAL LIT	106.00
90-8-16-57	FEDERAL COLUMBIA RIVER POWER SYSTEM	WILDLIFE	80.00
			-----
		TOTAL	3,564.00

**FY92**  
**SECTION TOP TEN CASES AND MATTERS**  
 (\* = Superfund)  
 (Continued)

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**Wildlife and Marine Resources Section**

<u>DJ NUMBER</u>	<u>CASE NAME</u>	<u>CASE SECTION</u>	<u>TOTAL HOURS</u>
90-8-3-2775	OPERATION WHITEOUT	WILDLIFE	1,519.50
90-8-1-364	OPERATION RENEGADE	WILDLIFE	978.00
90-8-3-2563	OPERATION TIMBER CUT	WILDLIFE	960.50
90-8-6-219	SIERRA CLUB V LUJAN	WILDLIFE	944.50
90-8-6-166	FLORIDA KEY DEER, ET AL V ROBERT H. MORRIS	WILDLIFE	710.00
90-8-6-232	UNITED STATES V GLENN-COLUSA IRRIGATION DISTRICT	WILDLIFE	643.00
90-8-6-234	OREGON NATURAL RESOURCES COUNCIL V BUREAU OF RECLAMATION	WILDLIFE	607.25
90-8-6-243	SAFARI CLUB INTERNATIONAL V LUJAN	WILDLIFE	453.75
90-8-6-211	HAWAIIAN CROW V MANUEL LUJAN	WILDLIFE	444.00
90-8-3-2501	UNITED STATES V JR YATES	WILDLIFE	436.50
			-----
		TOTAL	7,697.00

# FY92 DIVISION COURT TIME AND OVERTIME BY SECTION

## COURT TIME

SECTION	ATTORNEY HOURS	NO. OF ATTORNEYS <sup>1</sup>	AVERAGE COURT TIME HRS PER ATTORNEY	NO. OF ATTORNEY WORK WEEKS	NON-ATTORNEY HOURS	TOTAL HOURS
ADMINISTRATION (Lit Support)	.00	3.35	.00	.00	69.50	69.50
APPELLATE	288.50	23.47	12.29	7.21	40.00	328.50
ENVIRONMENTAL CRIMES	1,097.25	27.76	39.53	27.43	119.00	1,216.25
ENVIRONMENTAL DEFENSE	1,216.00	49.47	24.58	30.40	16.25	1,232.25
ENVIRONMENTAL ENFORCEMENT	2,756.50	153.15	18.00	68.91	421.75	3,178.25
GENERAL LITIGATION	2,342.75	48.92	47.89	58.57	17.00	2,359.75
INDIAN RESOURCES	695.00	11.09	62.67	17.37	8.25	703.25
LAND ACQUISITION	572.50	16.61	34.47	14.31	16.00	588.50
PLSL	27.50	11.31	2.43	0.69	3.50	31.00
SPECIAL LITIGATION	57.00	1.01	56.43	1.42	.00	57.00
WILDLIFE	447.25	11.37	39.33	11.18	1.50	448.75
<b>TOTAL</b>	<b>9,500.25</b>	<b>357.51</b>	<b>26.57</b>	<b>257.51</b>	<b>712.75</b>	<b>10,213.00</b>

## OVERTIME

SECTION	ATTORNEY HOURS	NO. OF ATTORNEYS <sup>1</sup>	AVERAGE OVERTIME HRS PER ATTORNEY	NO. OF ATTORNEY WORK WEEKS	NON-ATTORNEY HOURS	TOTAL HOURS
ADMINISTRATION (Lit Support)	538.00	3.35	160.60	13.45	4,186.25	4,724.25
APPELLATE	7,171.50	23.47	305.56	179.29	11.50	7,183.00
ENVIRONMENTAL CRIMES	11,266.25	27.76	405.84	281.66	1,389.25	12,655.50
ENVIRONMENTAL DEFENSE	22,028.75	49.47	445.29	550.72	910.00	22,938.75
ENVIRONMENTAL ENFORCEMENT	68,426.75	153.15	446.79	1,710.67	7,109.50	75,536.25
GENERAL LITIGATION	23,828.75	48.92	487.10	595.72	1,091.50	24,920.25
INDIAN RESOURCES	5,727.50	11.09	516.46	143.19	48.00	5,775.50
LAND ACQUISITION	3,941.00	16.61	237.27	98.52	245.50	4,186.50
PLSL	4,603.50	11.31	407.03	115.09	332.50	4,936.00
SPECIAL LITIGATION	434.00	1.01	429.70	10.85	8.50	442.50
WILDLIFE	4,282.25	11.37	376.63	107.06	95.50	4,377.75
<b>TOTAL</b>	<b>152,248.25<sup>2</sup></b>	<b>357.51</b>	<b>425.86</b>	<b>3,886.21</b>	<b>15,428.00</b>	<b>167,676.25</b>

<sup>1</sup> Number of attorneys represents the number of workyears.

<sup>2</sup> Equivalent to 73.20 attorney workyears.

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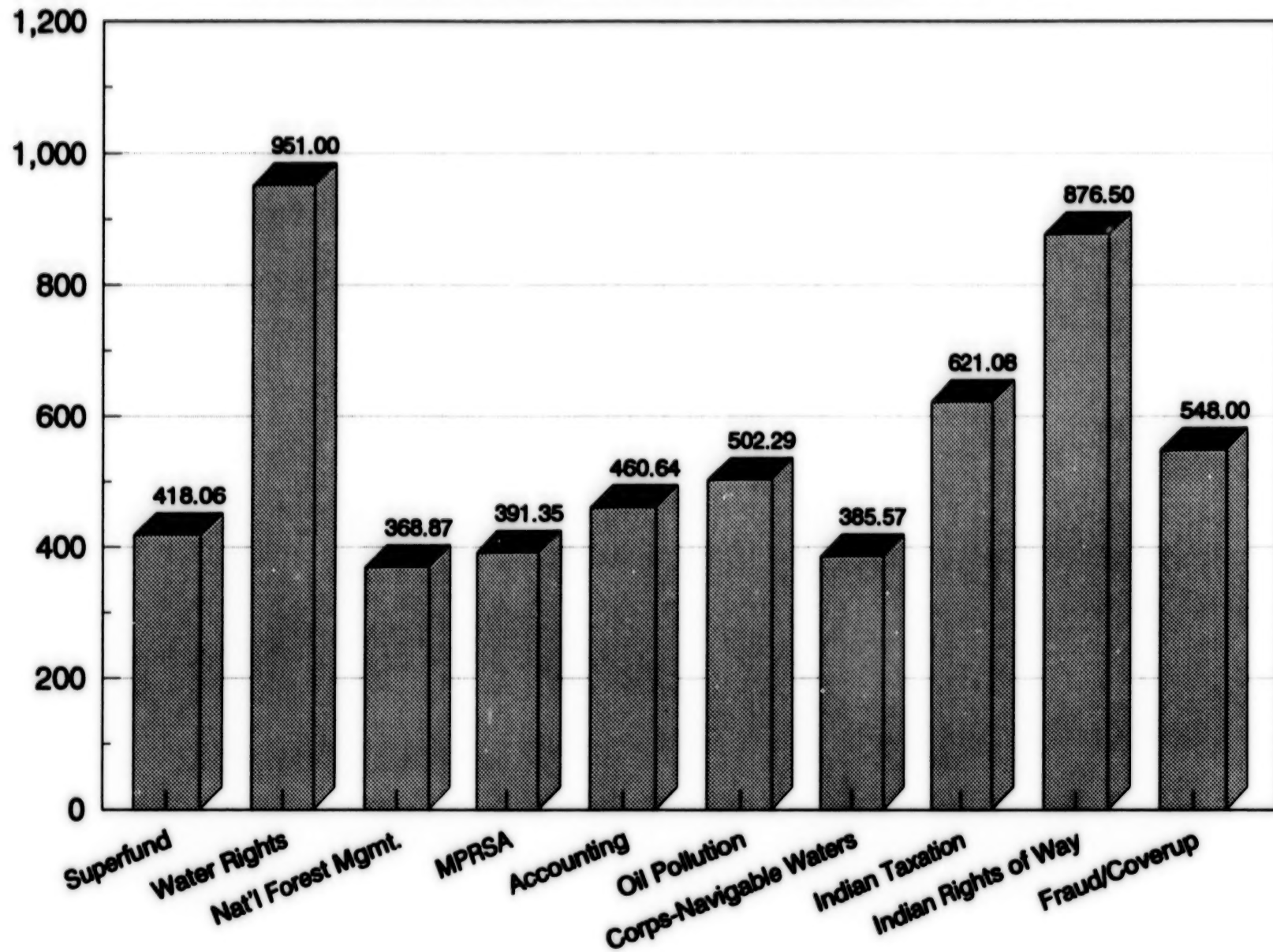
# FY90 - FY92 DIVISION TIME BY CATEGORY

STATUTE	CASES	HOURS	AVG PER CASE
SUPERFUND	1957	818,141.00	418.06
CLEAN WATER	1345	278,338.50	206.94
WATER RIGHTS	145	137,894.50	951.00
CLEAN AIR	934	137,658.00	147.39
RCRA	651	134,379.00	206.42
EMINENT DOMAIN	1990	92,919.50	46.69
NEPA	363	92,593.25	255.08
TUCKER ACT	263	82,610.25	314.11
ENDANGERED SPECIES	363	42,702.25	117.64
INDIAN/TRIBAL CLAIMS	185	28,843.25	155.91
MINERAL LANDS/LEASES	196	20,941.25	106.84
NAT'L FOREST MANAGEMENT	55	20,287.75	368.87
DAMAGES/TRESPASS	68	19,596.50	288.18
TOXIC SUB CONTR	87	17,042.50	195.89
INDIAN LAND MANAGEMENT	76	16,114.25	212.03
SAFE DRINKING	102	13,963.75	136.90
PLSL POLICY ISSUES	126	13,854.50	109.96
SURFACE MINING	257	13,552.00	52.73
QUIET TITLE	136	11,883.00	87.38
LACEY	151	11,049.00	73.17
RIVERS & HARBORS	136	10,593.25	77.89
NPRSA	25	9,783.75	391.35
MAJOR LEGISLATIVE PROJ.	82	8,585.00	104.70
FIFRA	70	8,285.25	118.36
JURISDICTION	29	7,561.75	260.75
MAGNUSON ACT	112	7,500.50	66.97
ACCOUNTING	16	7,370.25	460.64
MARINE MAMMAL	38	7,320.50	192.64
NUCLEAR WASTE POLICY	18	6,316.00	350.89
INTERNATIONAL ISSUES	39	5,779.25	148.19
OCSLA	13	3,187.00	245.15
DIRECT PURCHASE	854	3,085.25	3.61
OIL POLLUTION	6	3,013.75	502.29
POSSESSION	12	2,817.00	234.75
CORPS-NAVIGABLE WATERS	7	2,699.00	385.57
CONGRESSIONAL ISSUES	6	2,682.75	447.13
ALASKA CONSERVATION	20	2,655.75	132.79
FREEDOM OF INFO	268	1,927.75	7.19
INDIAN TAXATION	3	1,863.25	621.08
MIGRATORY BIRD	52	1,834.75	35.28
INDIAN RIGHTS OF WAY	2	1,753.00	876.50
GENERAL WILDLIFE	22	1,707.25	77.60
TAX DIVISION MATTERS	1	1,705.00	1,705.00
HISTORIC PRESERVATION	13	1,678.50	129.12
ALASKA NATIVE CLAIMS	9	1,576.75	175.19
GRANTS/PATENTS	15	1,416.50	94.43
TIMBER CONTRACTS	5	1,331.25	266.25
FED POWER ACT	6	1,268.25	211.38
WILDLIFE REFUGE	14	981.25	70.09
NOISE CONTROL	7	929.00	132.71
GRAZING RIGHTS/PERMITS	9	881.50	97.94
BALD/GOLDEN EAGLE	9	826.00	91.78
ENERGY MATTERS	29	793.75	27.37
FISH & WILDLIFE	6	675.00	112.50
TORT LIABILITY	5	627.50	125.50
RECLAMATION LAW	10	619.75	61.98
CIVIL RIGHTS MATTERS	2	603.25	301.63
NAT'L PARKS MANAGEMENT	11	591.00	53.73
ADMIN PROCEDURE	12	581.50	48.46
FRAUD/COVERUP	1	548.00	548.00
WHALE CONVENTION	7	532.50	76.07
INDIAN GAMBLING	7	521.00	74.43

**FY90 - FY92**  
**DIVISION TIME BY CATEGORY**  
(continued)

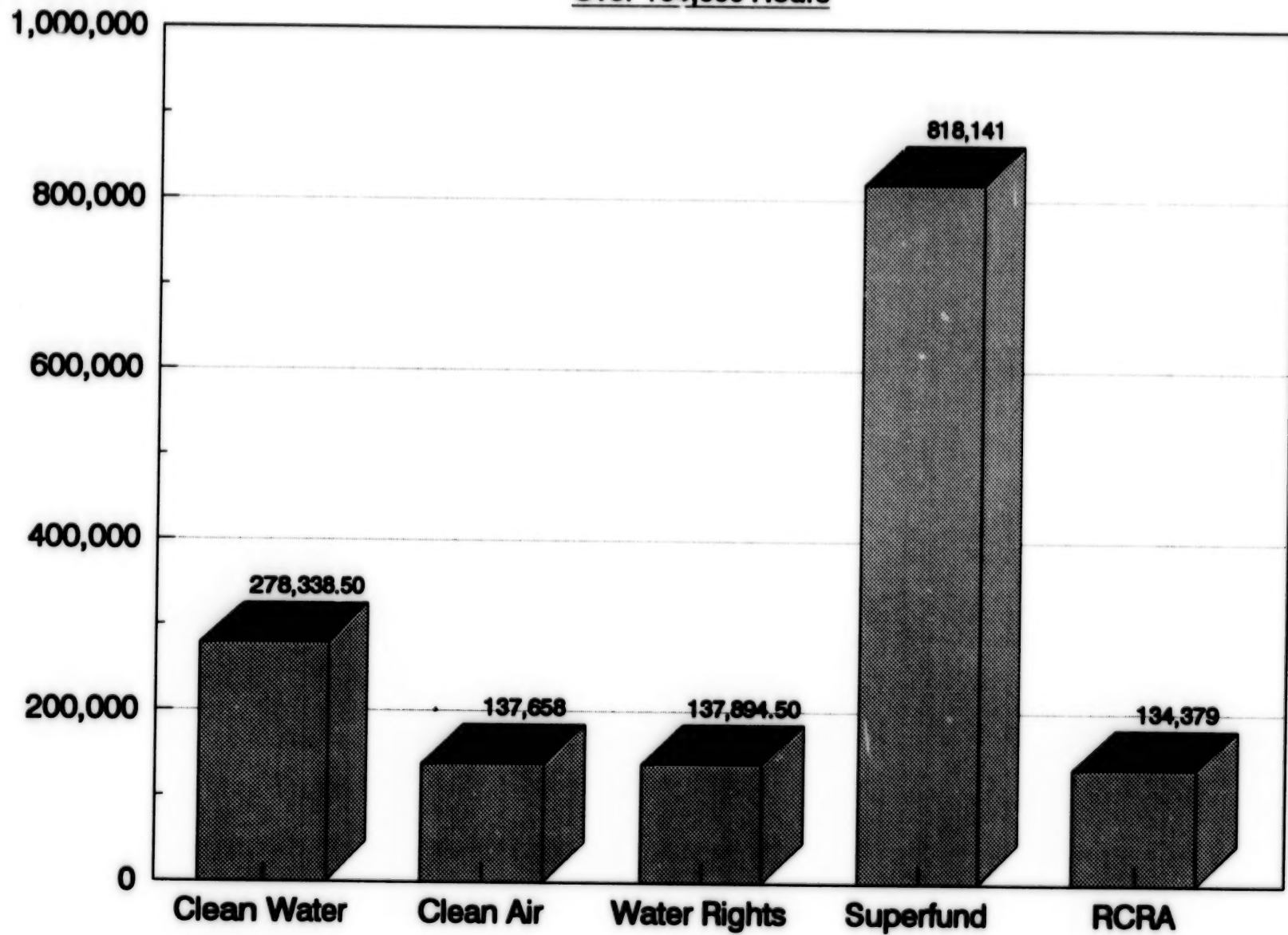
STATUTE	CASES	HOURS	AVG PER CASE
HOBBBS ACT	6	513.25	85.54
ABANDONED SHIPWRECKS	5	484.00	96.80
FED LAND POLICY NGM	7	372.50	53.21
2410 CONDEMNATION	68	350.25	5.15
WILDLIFE SMUGGLING	9	347.25	38.58
HORSES & BURROS	7	328.00	46.86
STATE TAKINGS	1	306.50	306.50
DESCENT & DISTRIBUTION	3	302.00	100.67
AIRBORNE HUNTING	1	258.50	258.50
FBI CRIMINAL MATTERS	14	258.00	18.43
RENTS/EVICTIONS	6	248.50	41.42
BANKRUPTCY	4	239.50	59.88
AIRPORT MATTERS	6	229.00	38.17
STOLEN ARTIFACTS	1	204.50	204.50
FMPCA	2	183.00	91.50
LAND CLAIMS	4	183.00	45.75
CONVEYANCE CONTRACTS	7	168.25	24.04
PACIFIC HALIBUT	2	165.75	82.88
URANIUM MILL	5	151.75	30.35
ZONING/PUBLIC BUILDINGS	5	149.00	29.80
FISHERIES CONSERVATION	2	129.25	64.63
GENERAL LIT MISC	21	124.25	5.92
INDIAN LAND TITLE	1	108.00	108.00
UNIFORM RELOCATION ACT	5	80.25	16.05
PACIFIC NW POWER	1	74.50	74.50
TAXES	3	72.50	24.17
CONSTITUTIONAL ISSUES	2	59.50	29.75
POWER PLANT	4	58.50	14.63
IND SELF DETERMINATION	1	57.00	57.00
COASTAL ZONE MANAGEMENT	1	48.00	48.00
MARPOL PROTOCOL	2	47.75	23.88
FOREST MISMANAGEMENT	1	43.00	43.00
PERJURY	1	33.50	33.50
FUR SEAL	2	19.50	9.75
SUBPOENA	2	13.50	6.75
OTHER	2	44.50	22.25
TOTAL LAST THREE YEARS:	11,672	2,137,829.25	183.16

**FY90 - FY92  
DIVISION TIME BY CATEGORY  
WITH THE HIGHEST AVERAGE HOURS PER CASE**



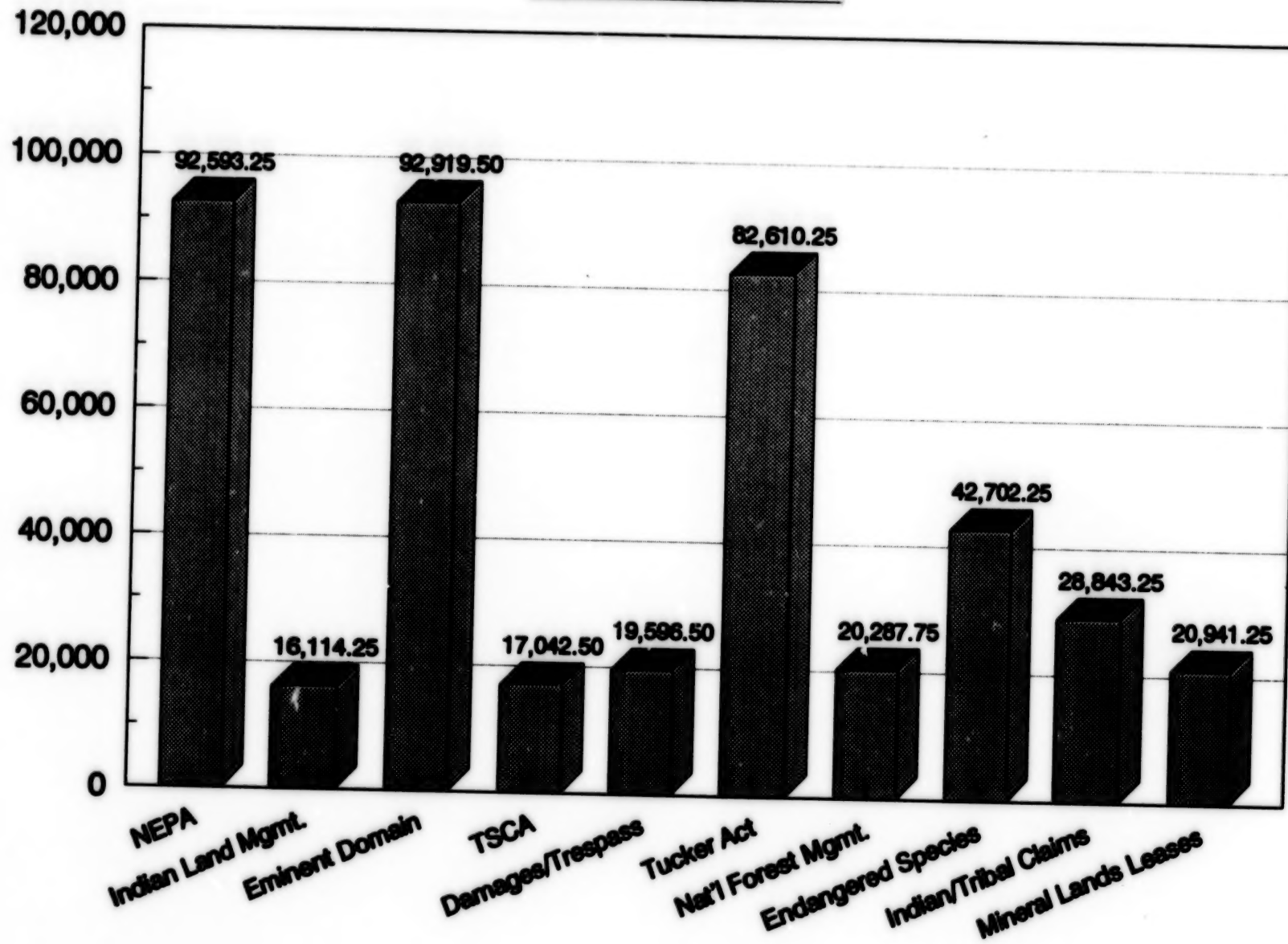
**FY90 - FY92**  
**DIVISION TIME BY CATEGORY**

Over 100,000 Hours



# FY90 - FY92 DIVISION TIME BY CATEGORY

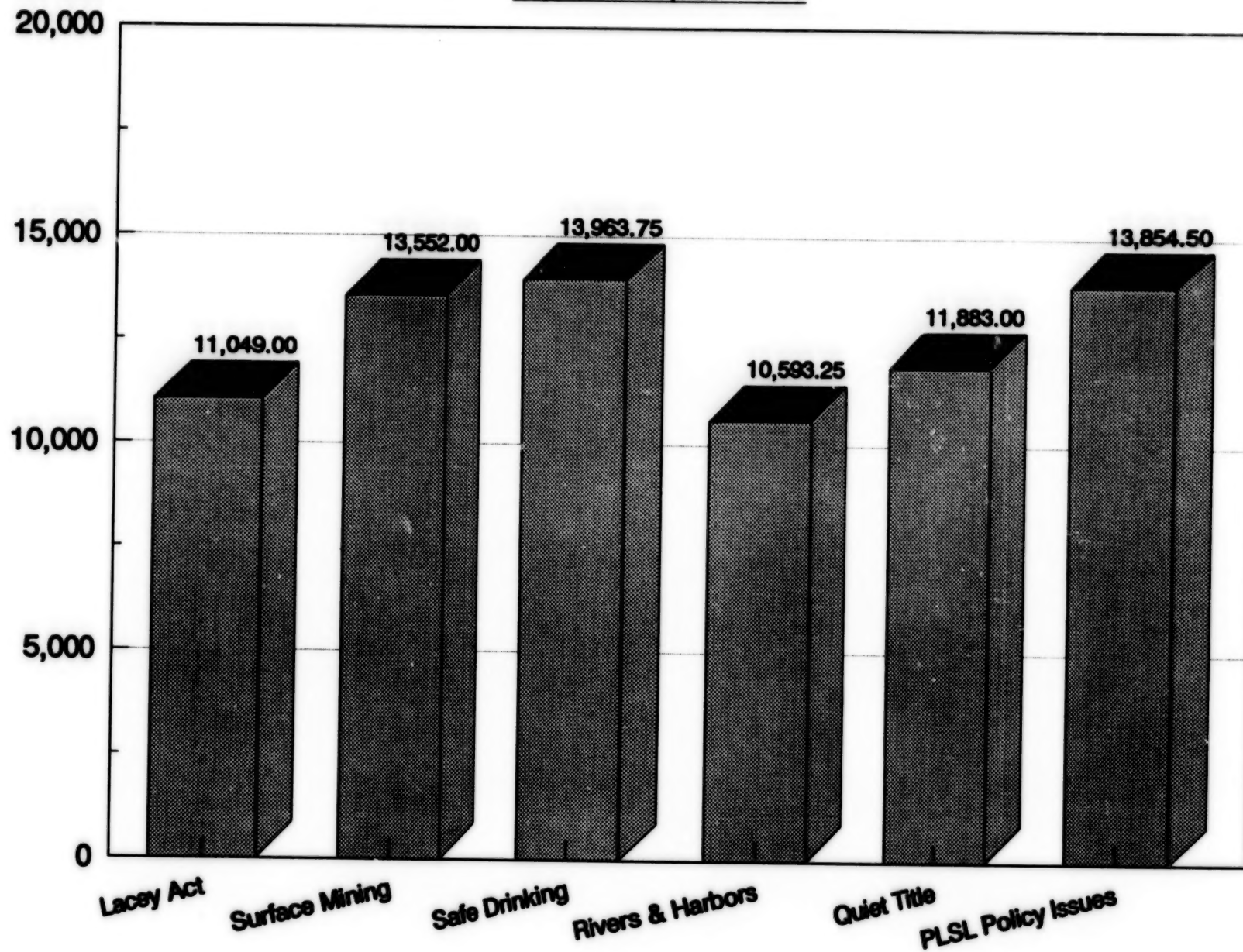
15,000 to 100,000 Hours





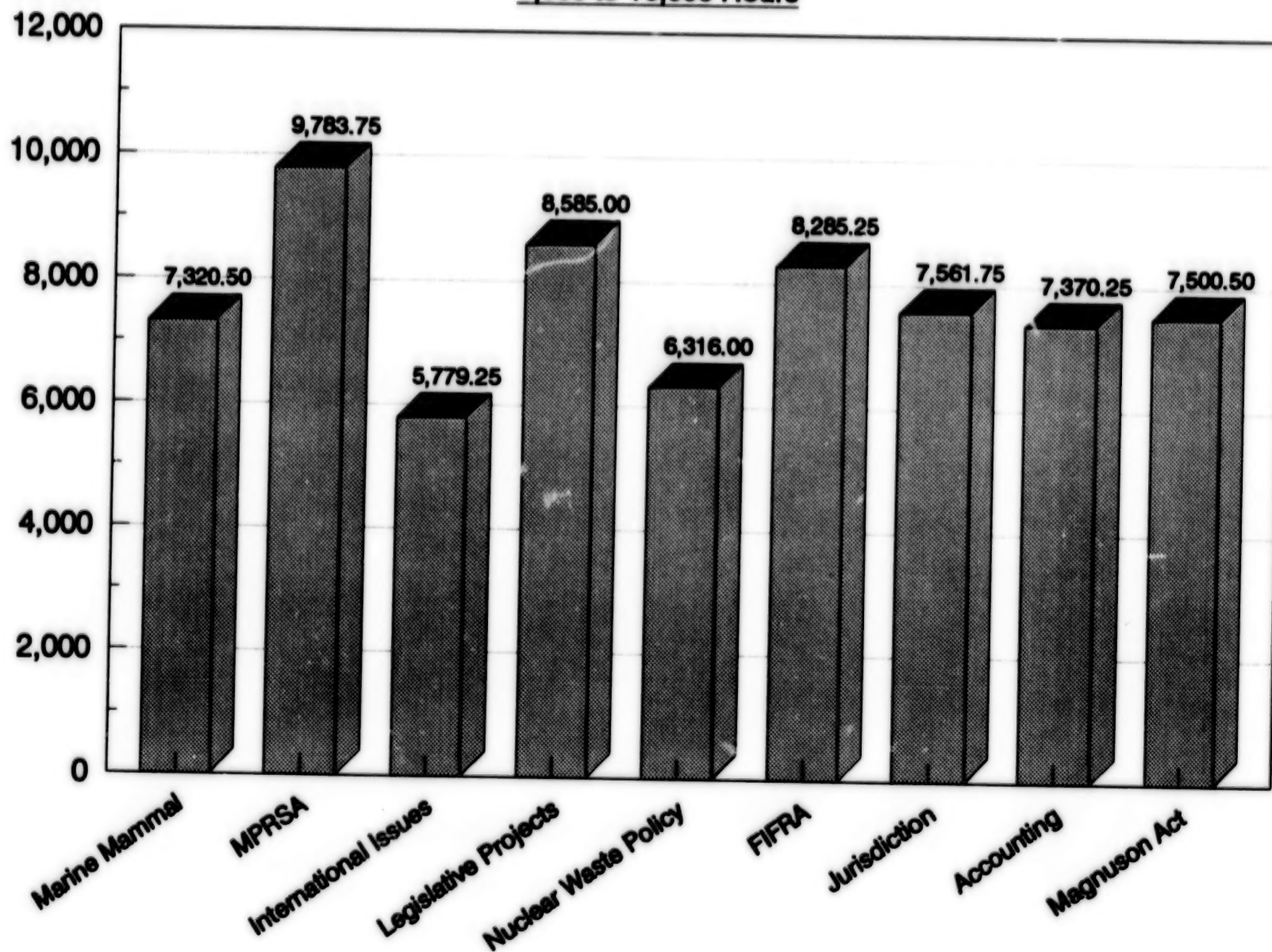
**FY90 - FY92**  
**DIVISION TIME BY CATEGORY**

10,000 to 15,000 Hours



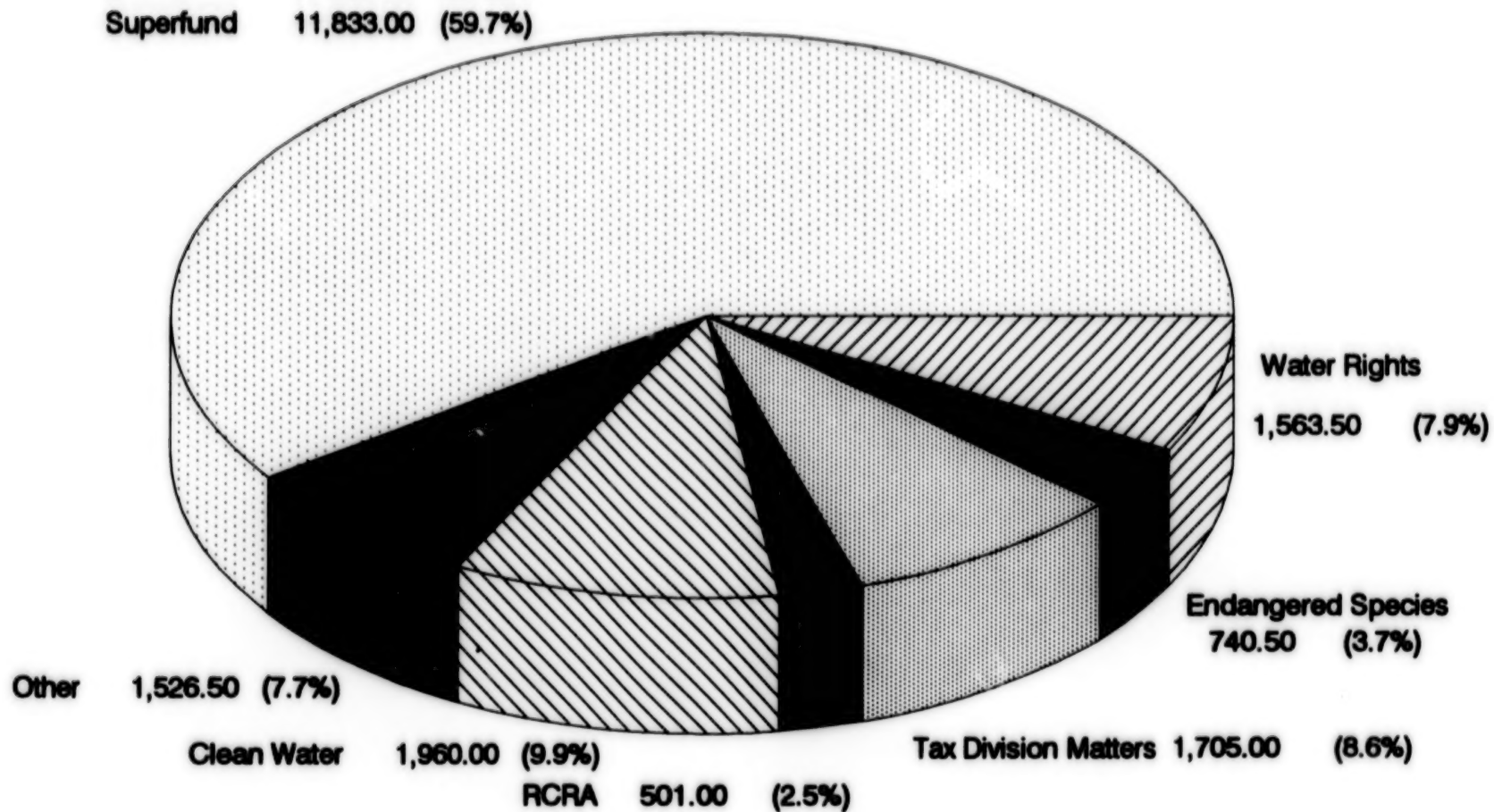
# FY90 - FY92 DIVISION TIME BY CATEGORY

5,000 to 10,000 Hours



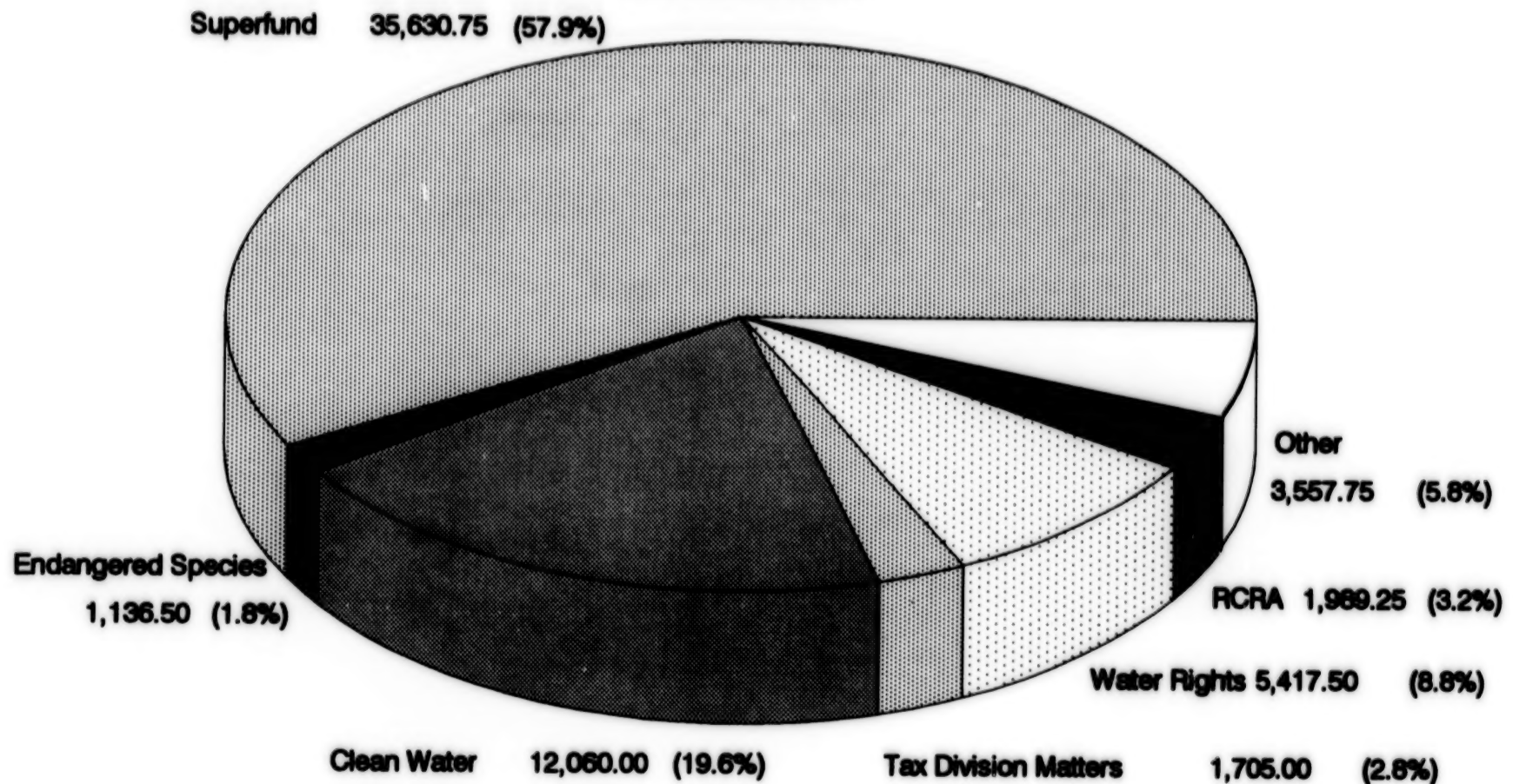
**FY92**  
**TIME BY CATEGORY**  
**ADMINISTRATION (LITIGATION SUPPORT)**

**TOTAL HOURS**



**FY90 - FY92  
TIME BY CATEGORY  
ADMINISTRATION (LITIGATION SUPPORT)**

**TOTAL HOURS**

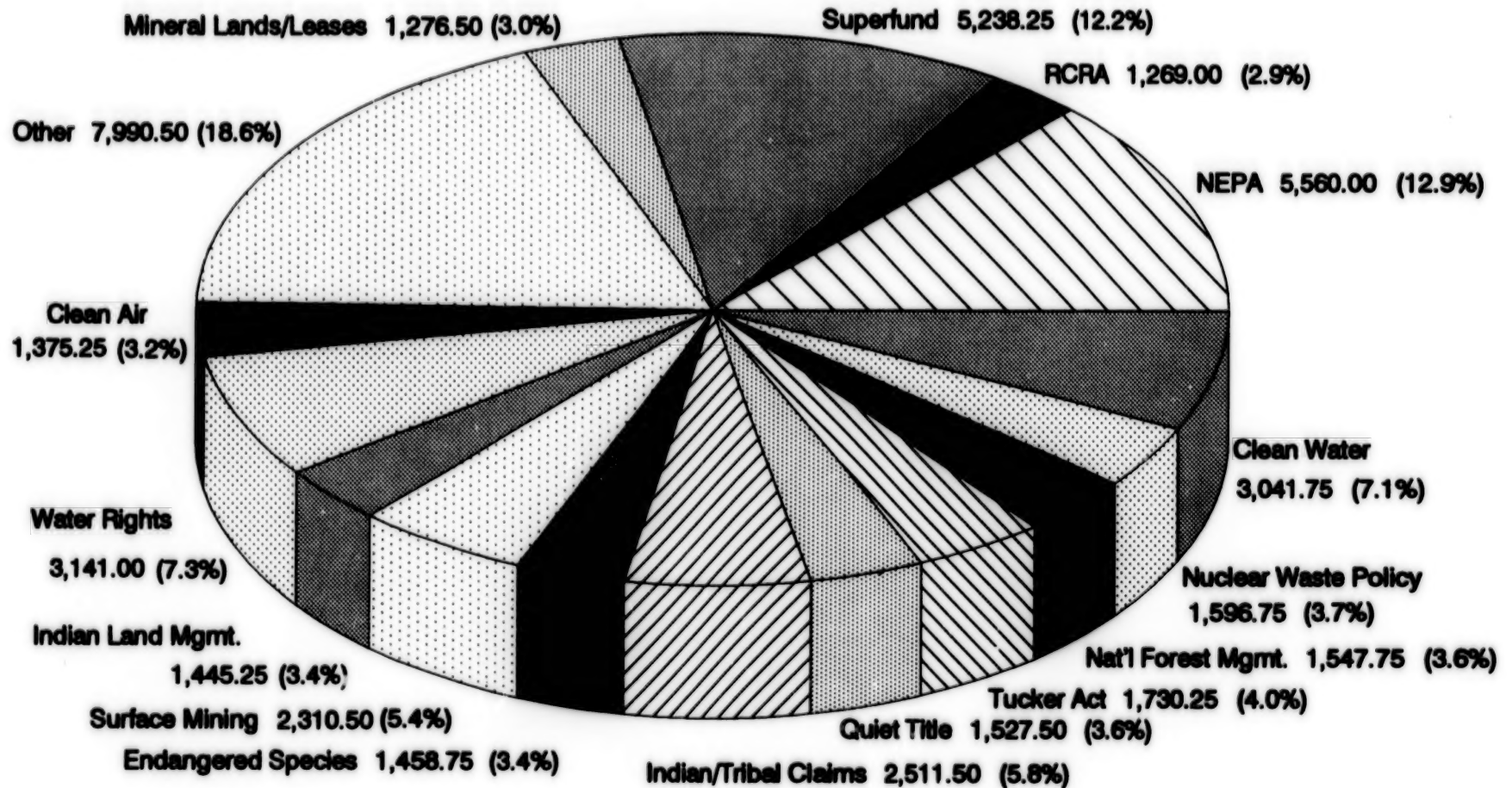


**Total: 61,496.75**



# **FY92** **TIME BY CATEGORY** **APPELLATE SECTION**

## **TOTAL HOURS**

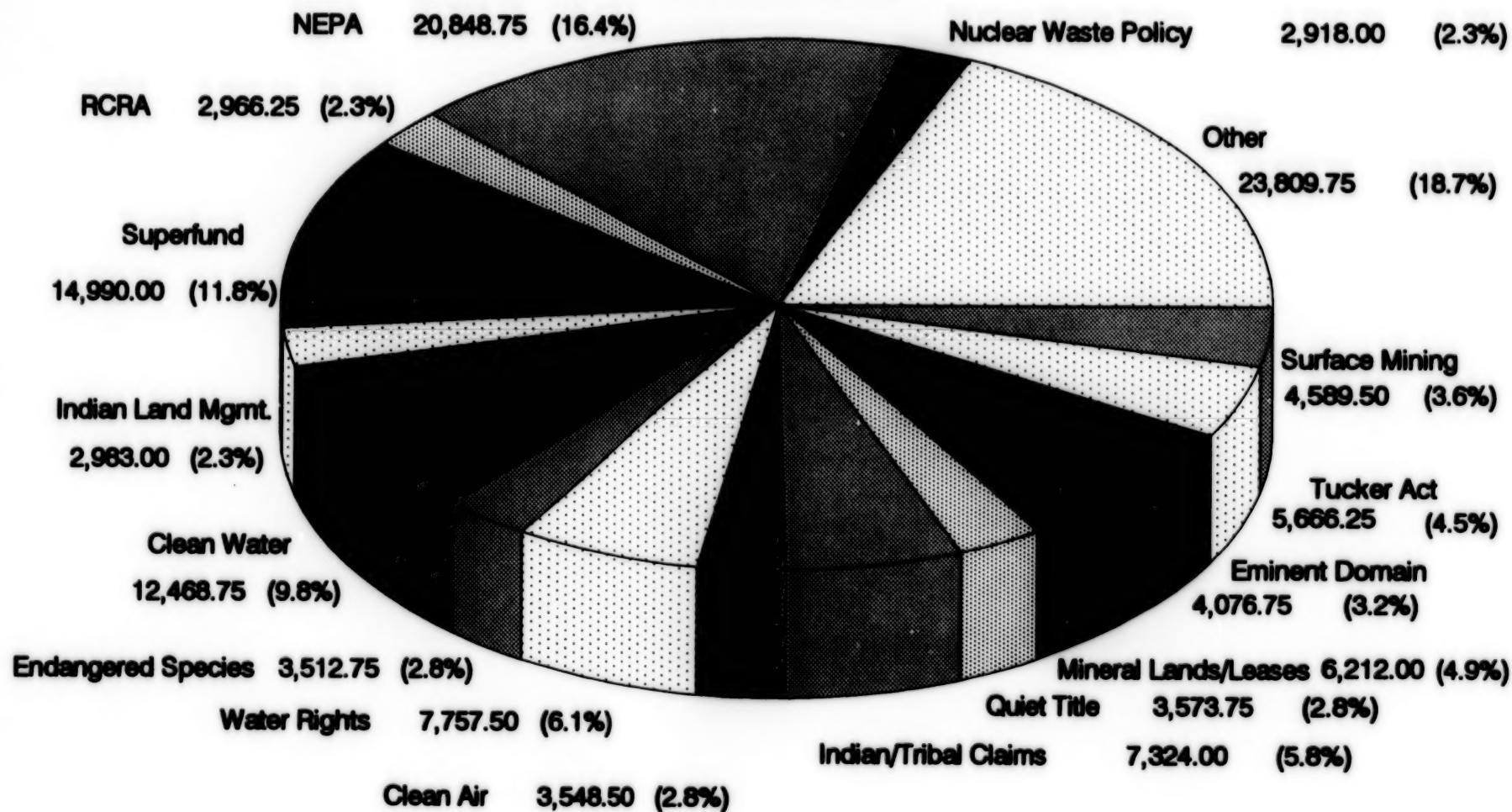


**Total: 43,020.50**



# **FY90 - FY92 TIME BY CATEGORY APPELLATE SECTION**

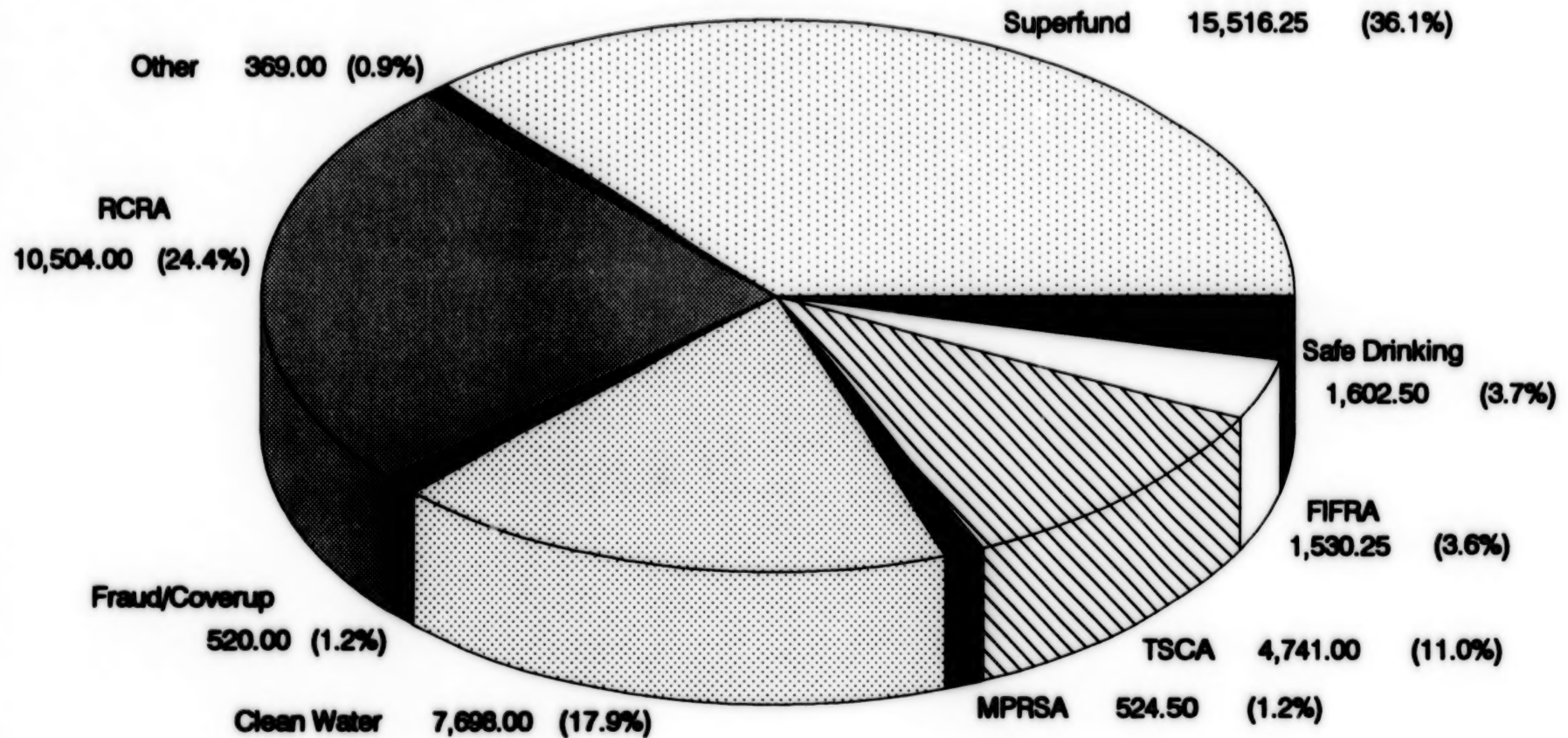
## **TOTAL HOURS**



**Total: 127,245.50**

**FY92  
TIME BY CATEGORY  
ENVIRONMENTAL CRIMES SECTION**

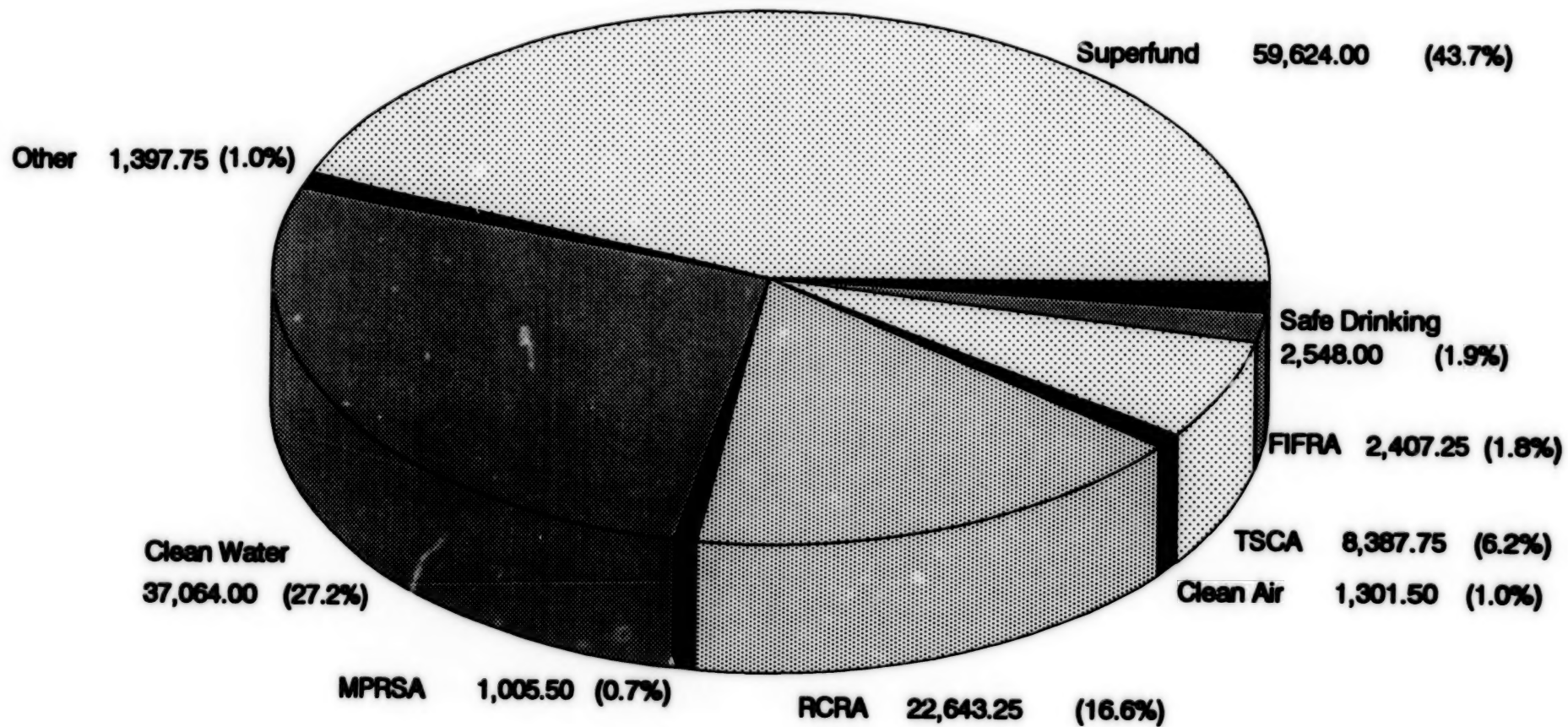
**TOTAL HOURS**



**Total: 43,005.50**

**FY90 - FY92  
TIME BY CATEGORY  
ENVIRONMENTAL CRIMES SECTION**

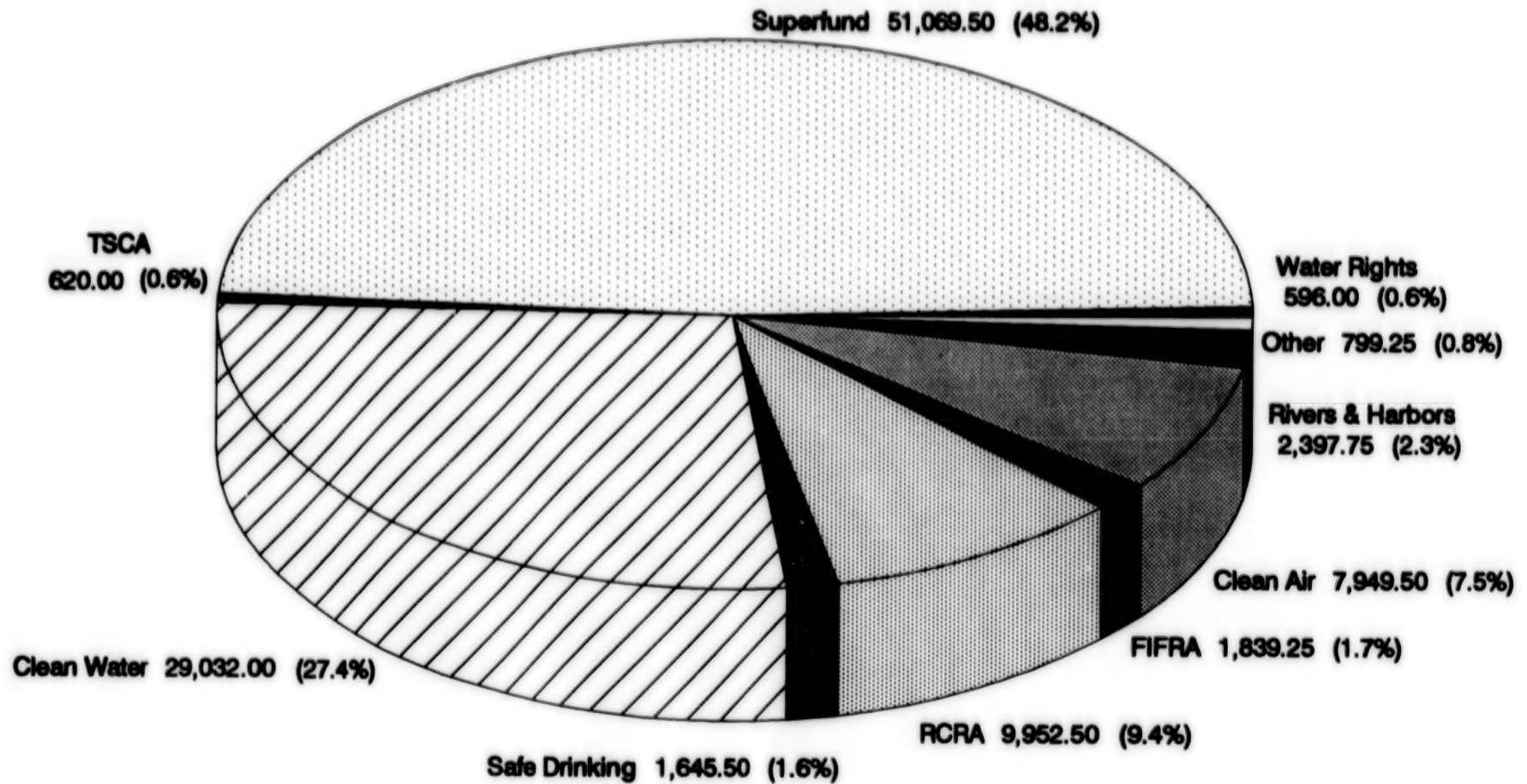
**TOTAL HOURS**



**Total: 136,424.00**

**FY92  
TIME BY CATEGORY  
ENVIRONMENTAL DEFENSE SECTION**

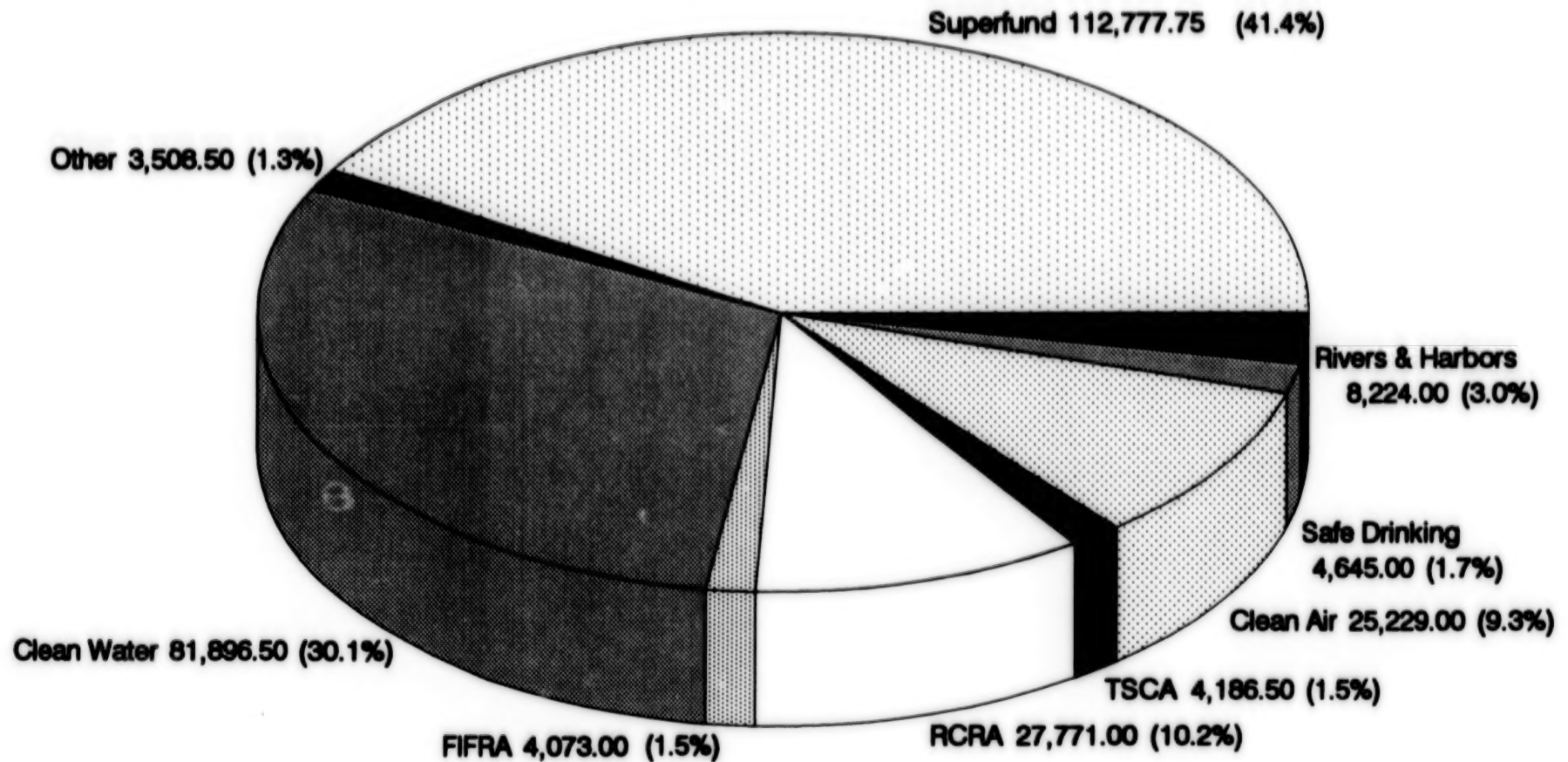
**TOTAL HOURS**



**Total: 105,901.25**

**FY90 - FY92  
TIME BY CATEGORY  
ENVIRONMENTAL DEFENSE SECTION**

**TOTAL HOURS**

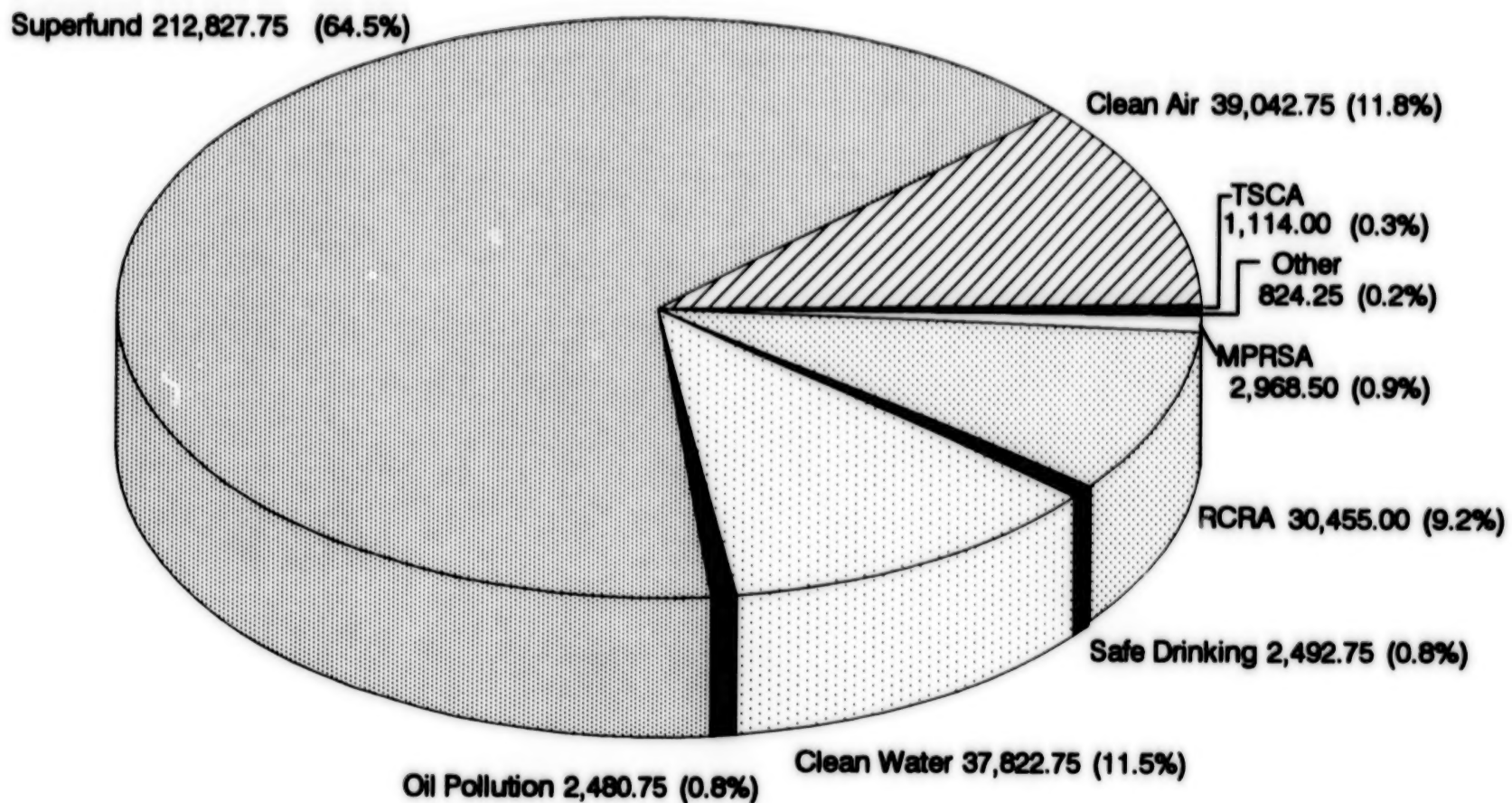


**Total: 272,311.25**



**FY92  
TIME BY CATEGORY  
ENVIRONMENTAL ENFORCEMENT SECTION**

**TOTAL HOURS**

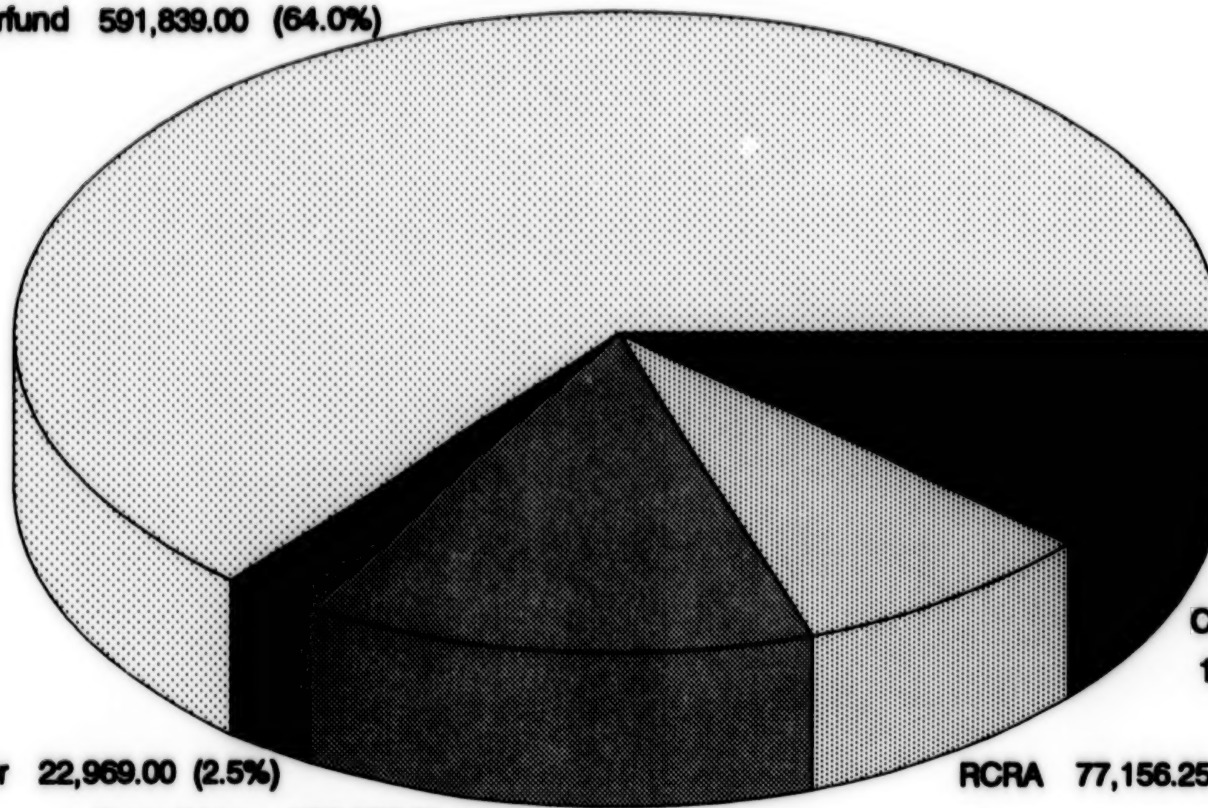


**Total: 330,028.50**

**FY90 - FY92  
TIME BY CATEGORY  
ENVIRONMENTAL ENFORCEMENT SECTION**

**TOTAL HOURS**

Superfund 591,839.00 (64.0%)



Clean Air  
106,059.25 (11.5%)

RCRA 77,156.25 (8.3%)

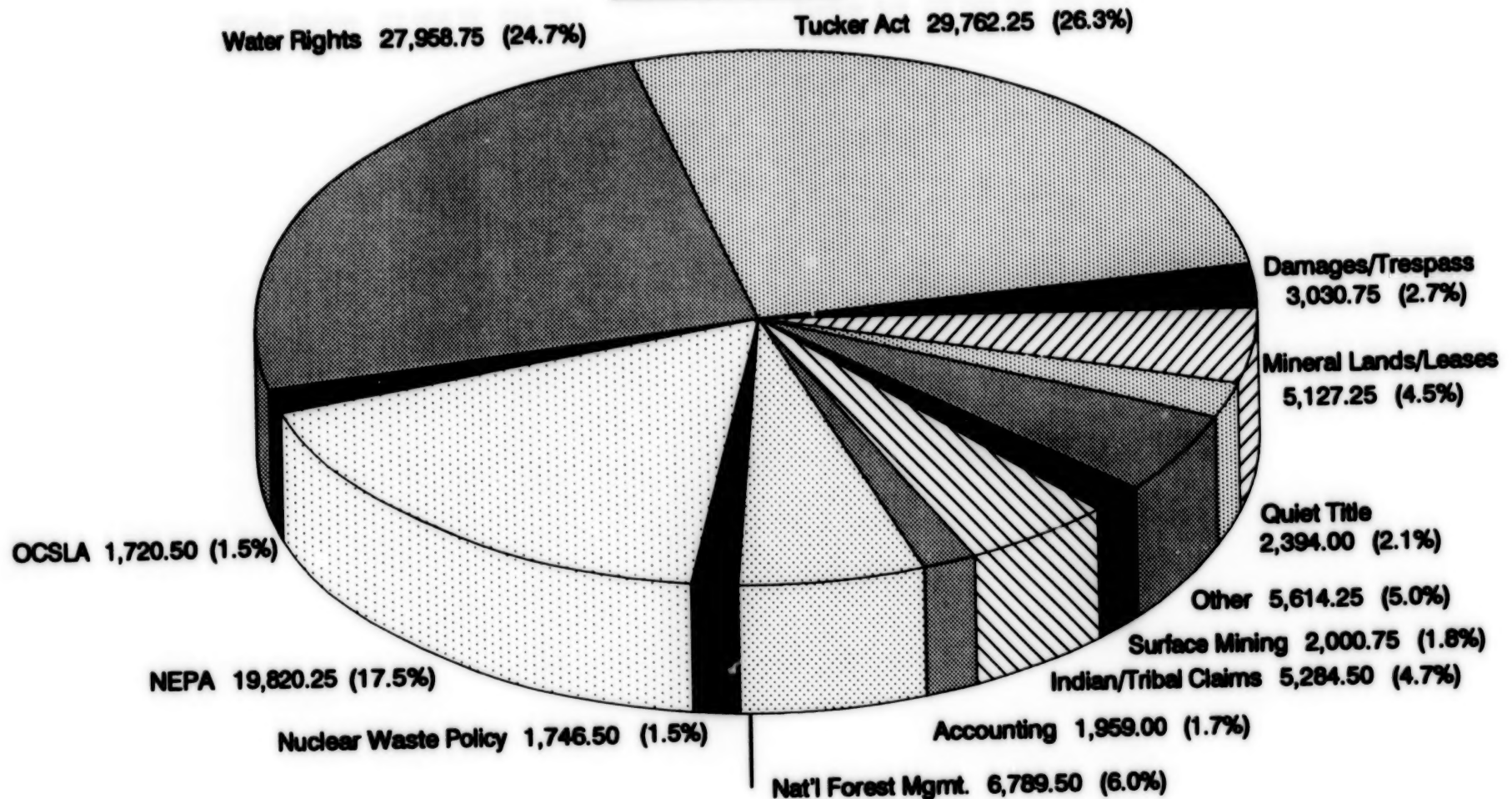
Other 22,969.00 (2.5%)

Clean Water 126,336.00 (13.7%)

**Total: 924,359.50**

# FY92 TIME BY CATEGORY GENERAL LITIGATION SECTION

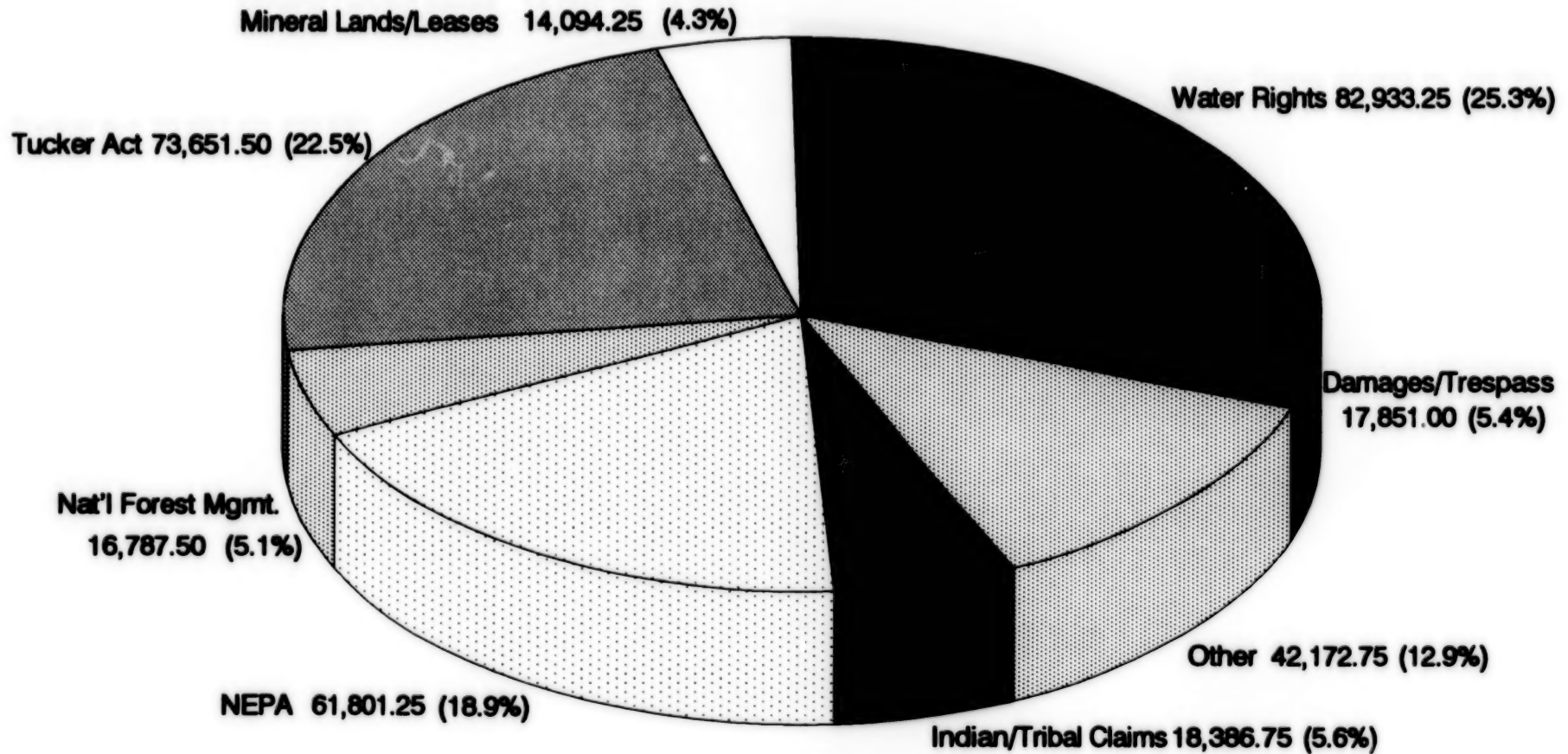
## TOTAL HOURS



**Total: 113,208.25**

**FY90 - FY92  
TIME BY CATEGORY  
GENERAL LITIGATION SECTION**

**TOTAL HOURS**

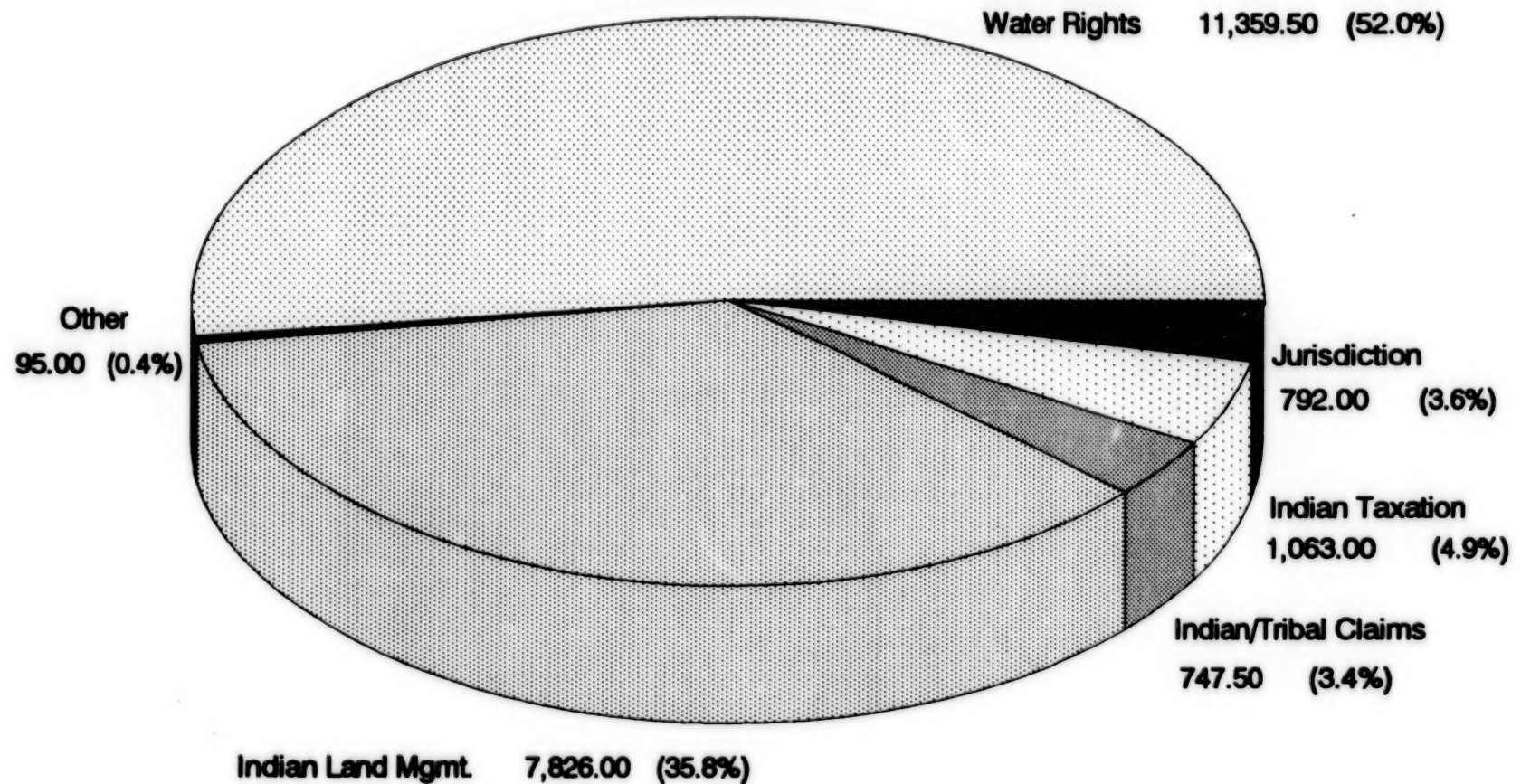


**Total: 327,678.25**



**FY92**  
**TIME BY CATEGORY**  
**INDIAN RESOURCES SECTION**

**TOTAL HOURS**

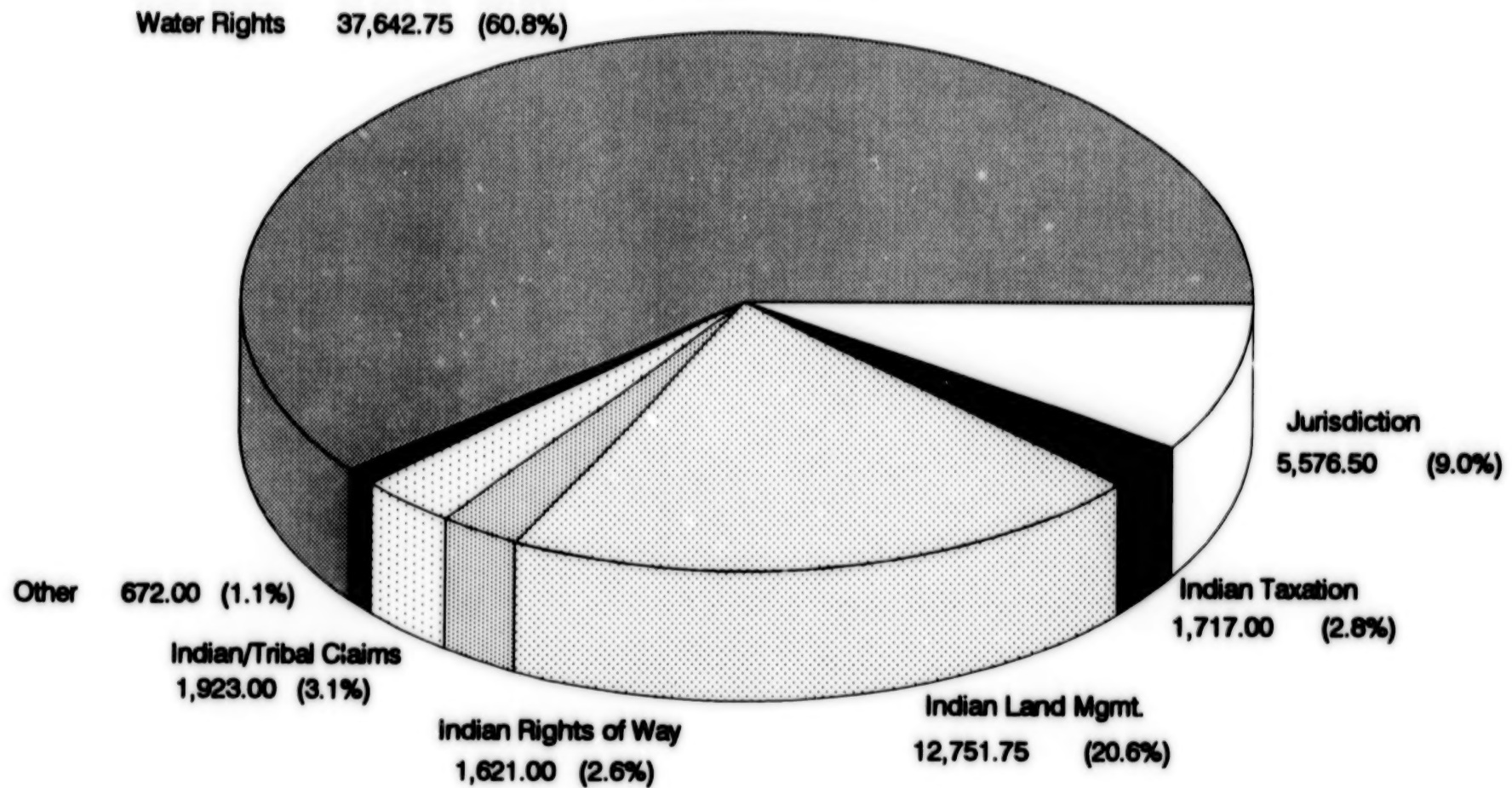


**Total: 21,883.00**



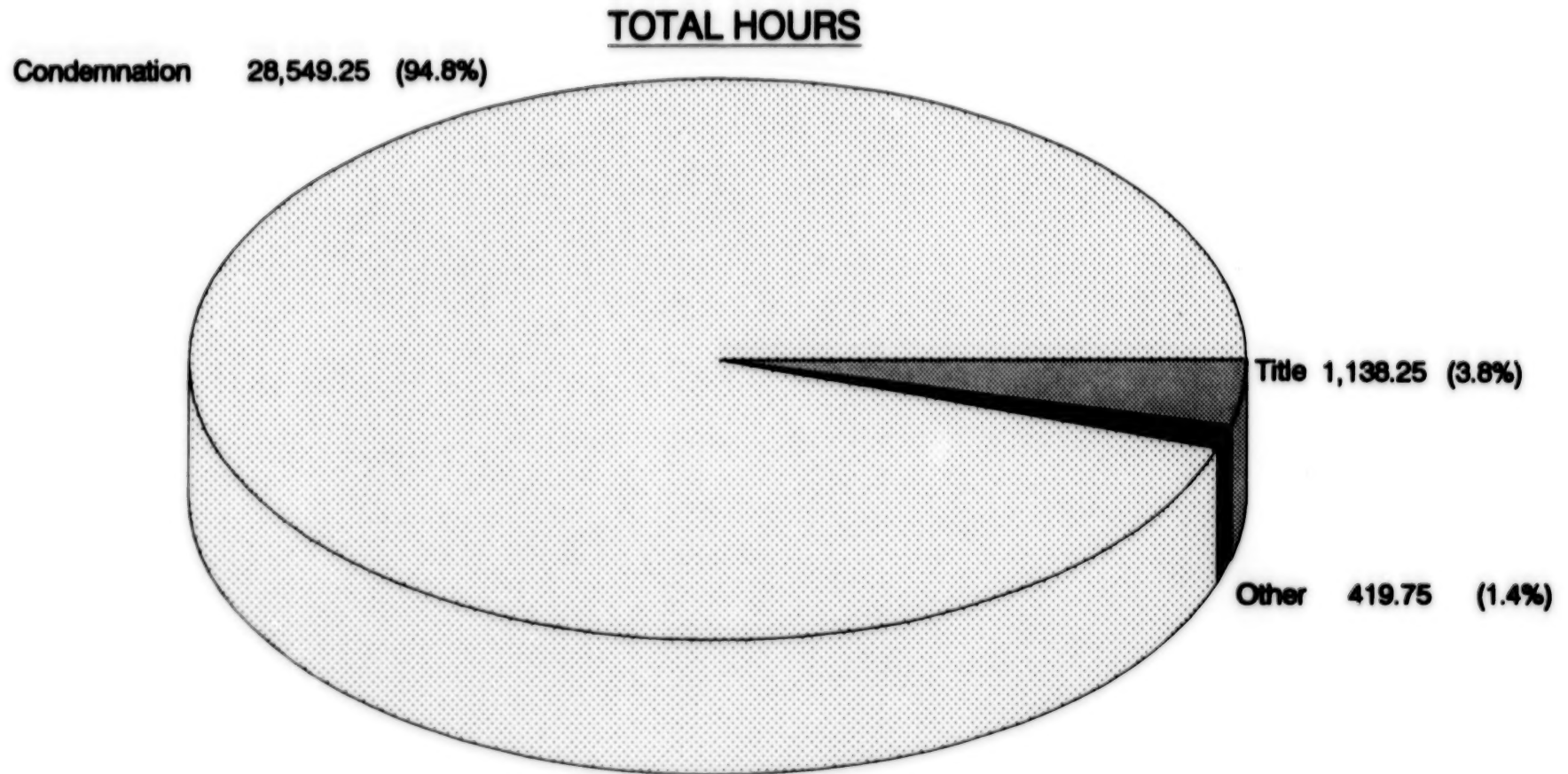
**FY90 - FY92  
TIME BY CATEGORY  
INDIAN RESOURCES SECTION**

**TOTAL HOURS**



**Total: 61,904.00**

**FY92**  
**TIME BY CATEGORY**  
**LAND ACQUISITION SECTION**



**Total: 30,107.25**

**FY90 - FY92  
TIME BY CATEGORY  
LAND ACQUISITION SECTION**

**TOTAL HOURS**

Condemnation 87,802.25 (95.8%)

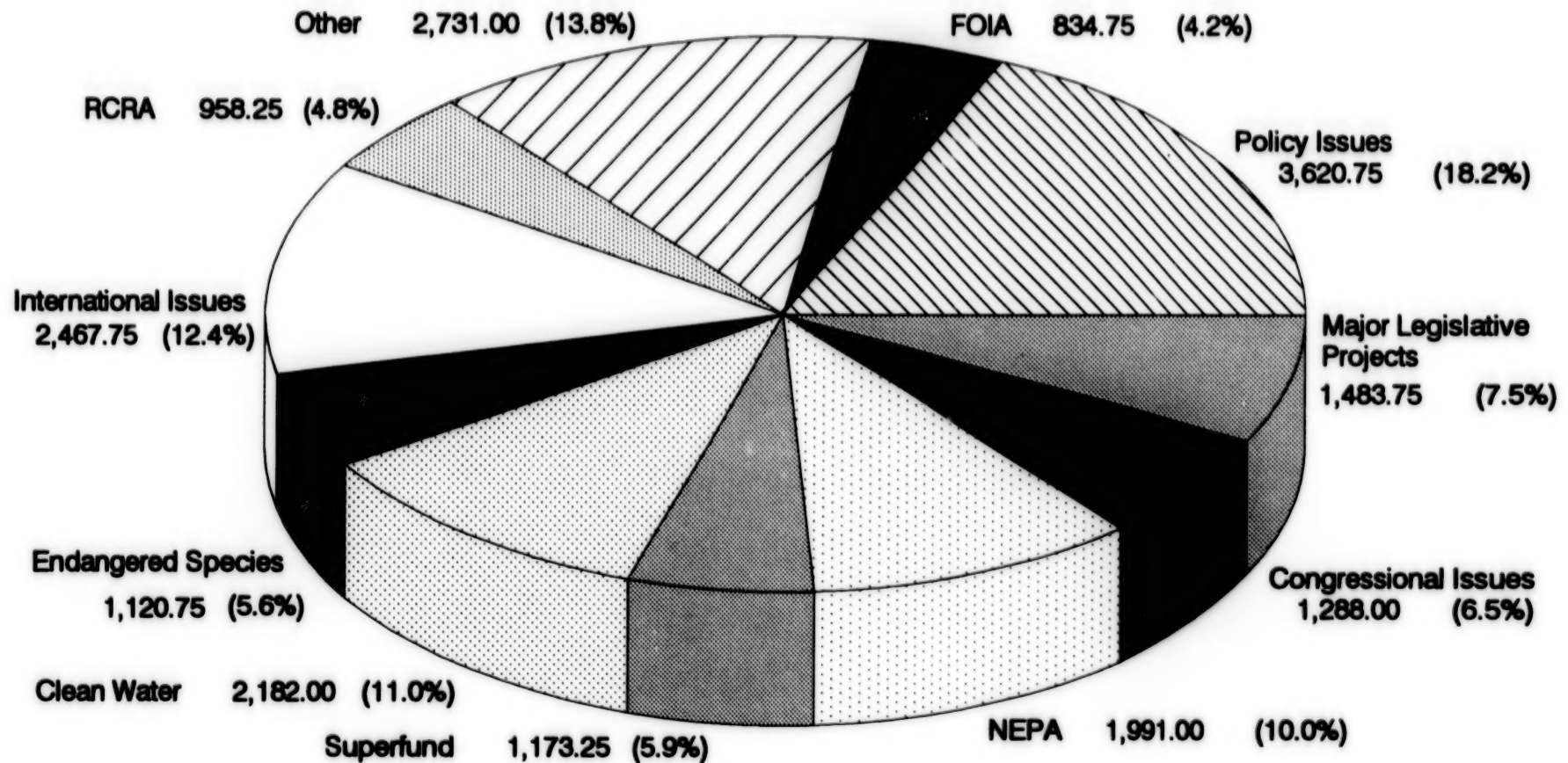
Other 764.25 (0.8%)

Title 3,063.75 (3.3%)

**Total: 91,630.25**

# **FY92** **TIME BY CATEGORY** **POLICY, LEGISLATION AND SPECIAL LITIGATION SECTION**

## **TOTAL HOURS**



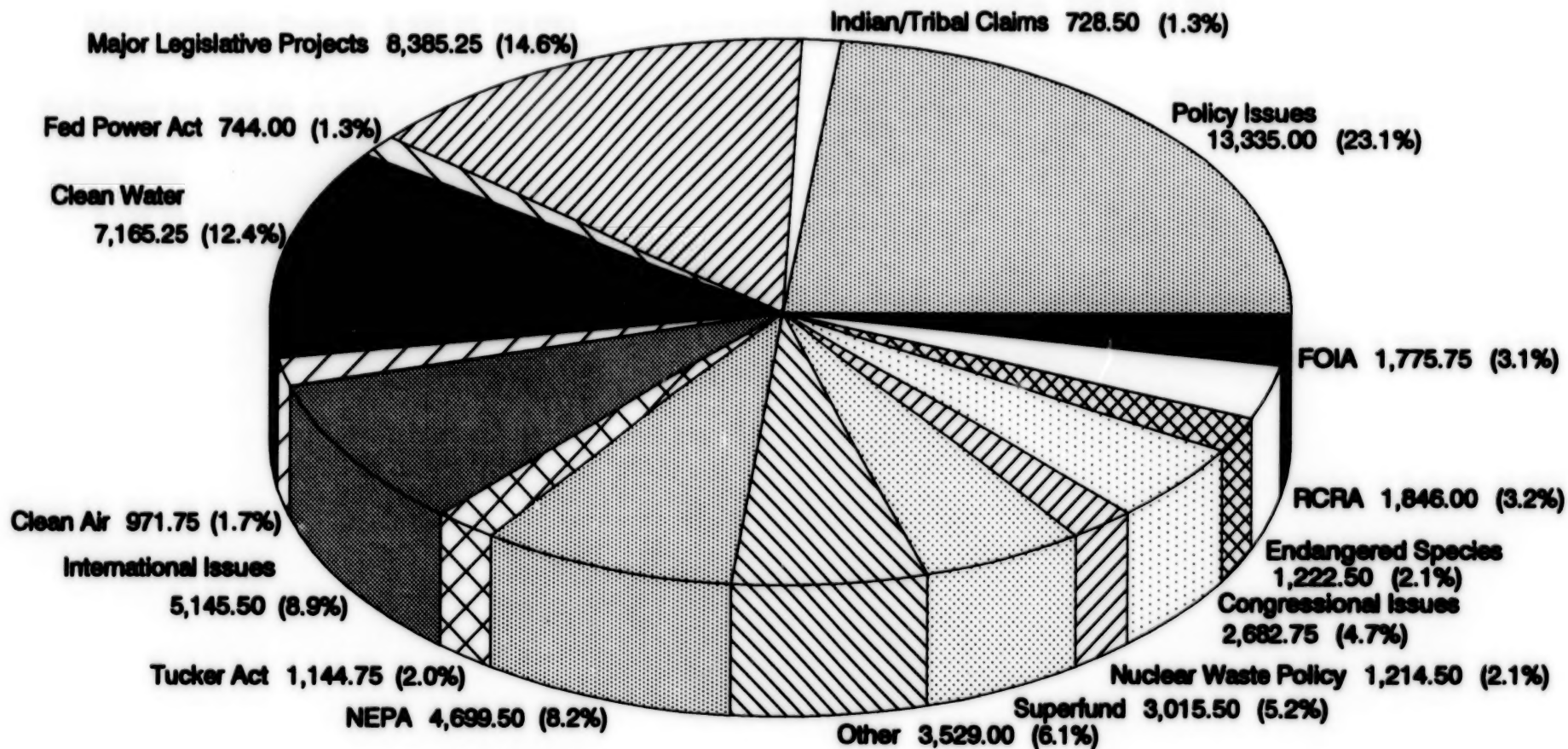
Includes time billed to cases and matters residing in the Division's case tracking system.

**Total: 19,852.00**



# FY90 - FY92 TIME BY CATEGORY POLICY, LEGISLATION AND SPECIAL LITIGATION SECTION

## TOTAL HOURS



Includes time billed to cases and matters residing in the Division's case tracking system.

**Total: 57,605.50**

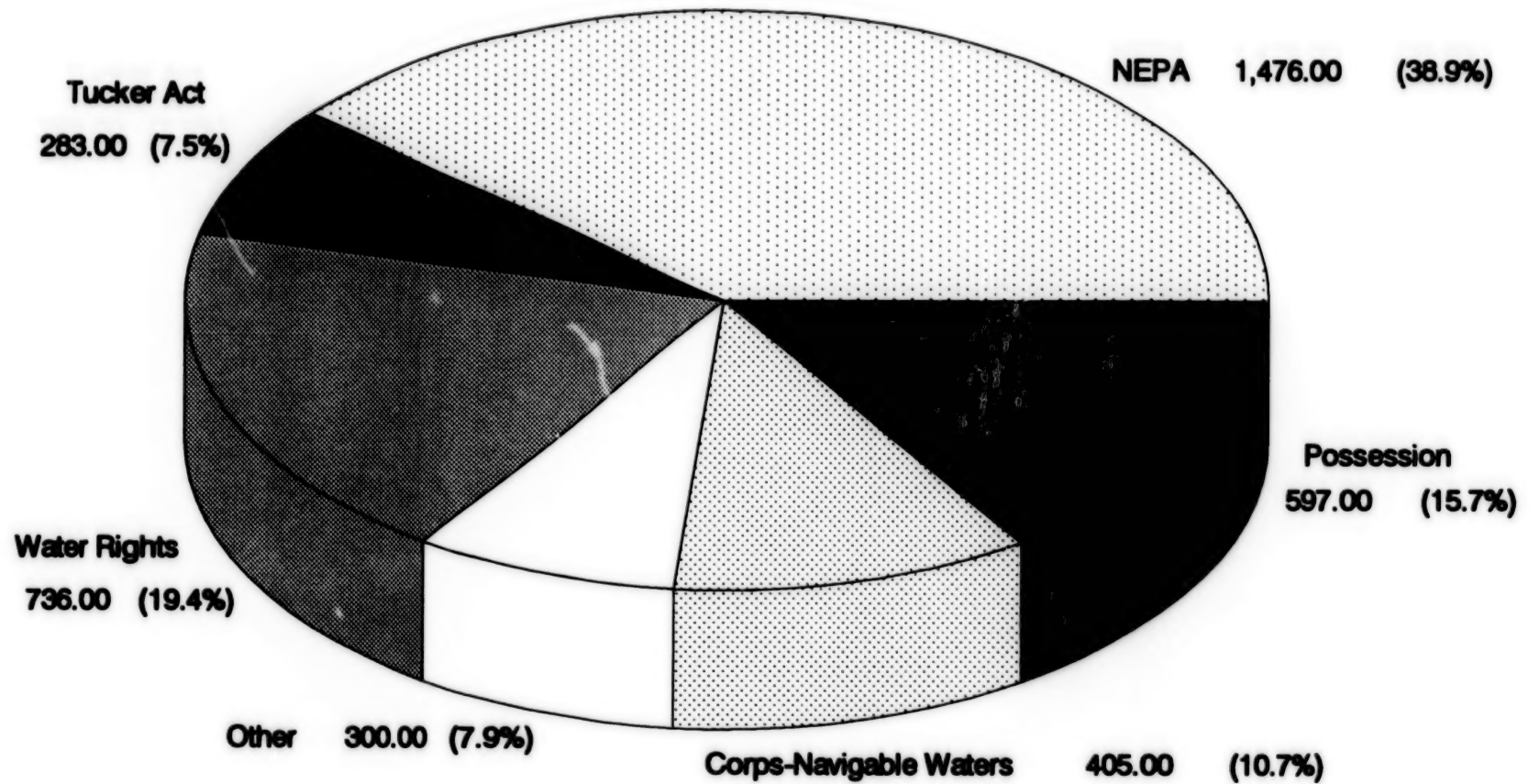
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**FY92  
TIME BY CATEGORY  
SPECIAL LITIGATION**

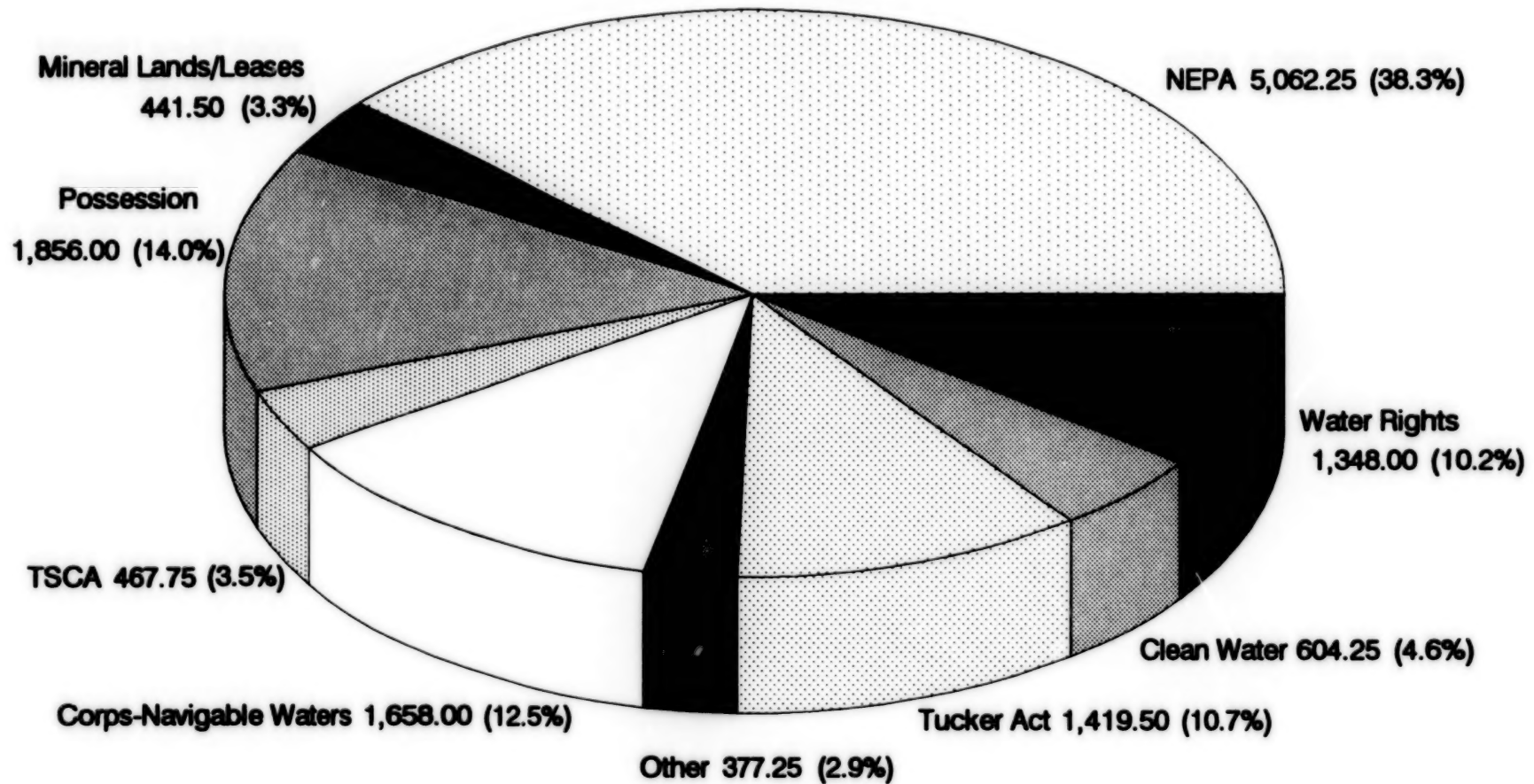
**TOTAL HOURS**



**Total: 3,797.00**

**FY90 - FY92  
TIME BY CATEGORY  
SPECIAL LITIGATION**

**TOTAL HOURS**

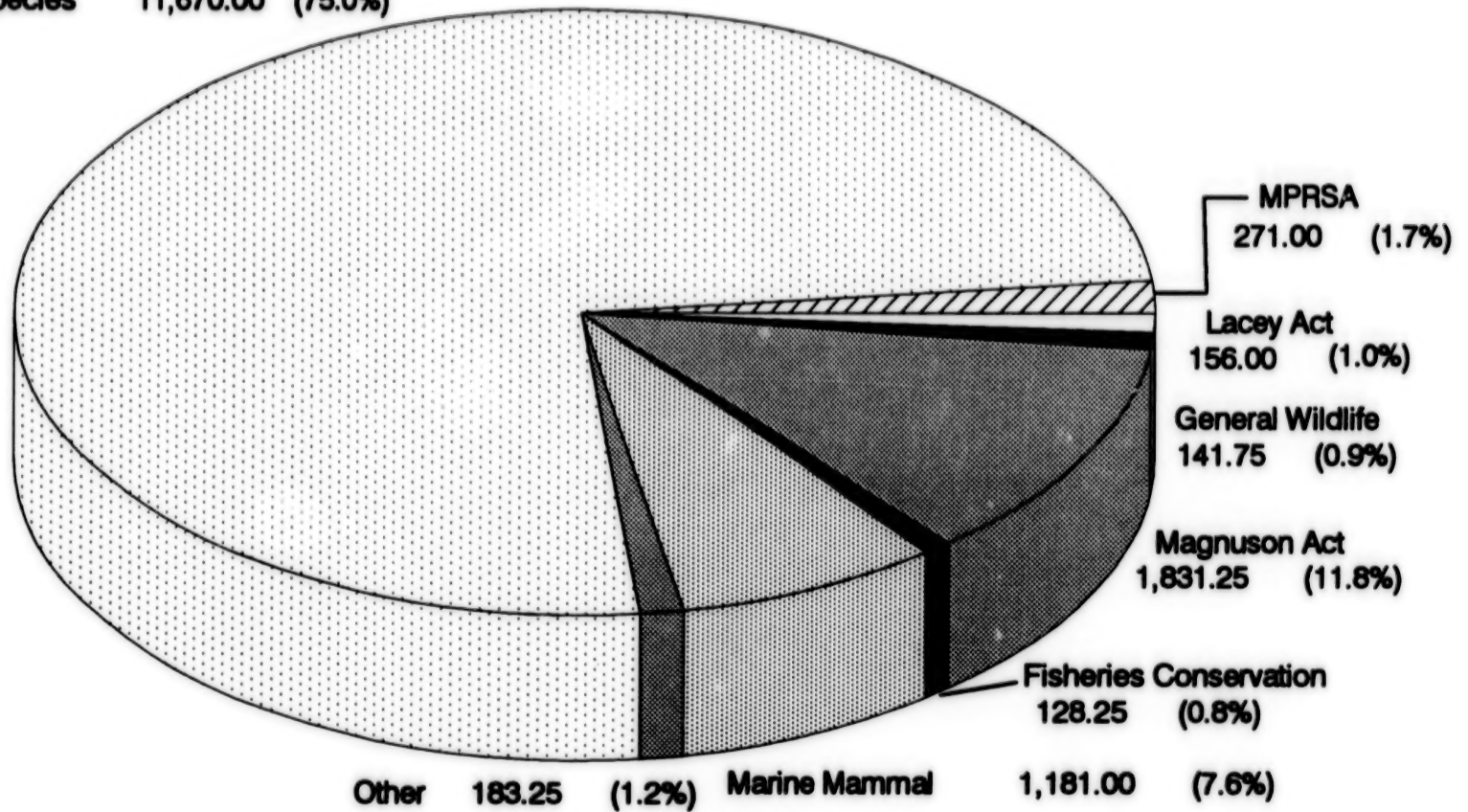


**Total: 13,234.50**

**FY92  
TIME BY CATEGORY  
WILDLIFE AND MARINE RESOURCES SECTION  
(CIVIL CASES)**

**TOTAL HOURS**

Endangered Species 11,670.00 (75.0%)

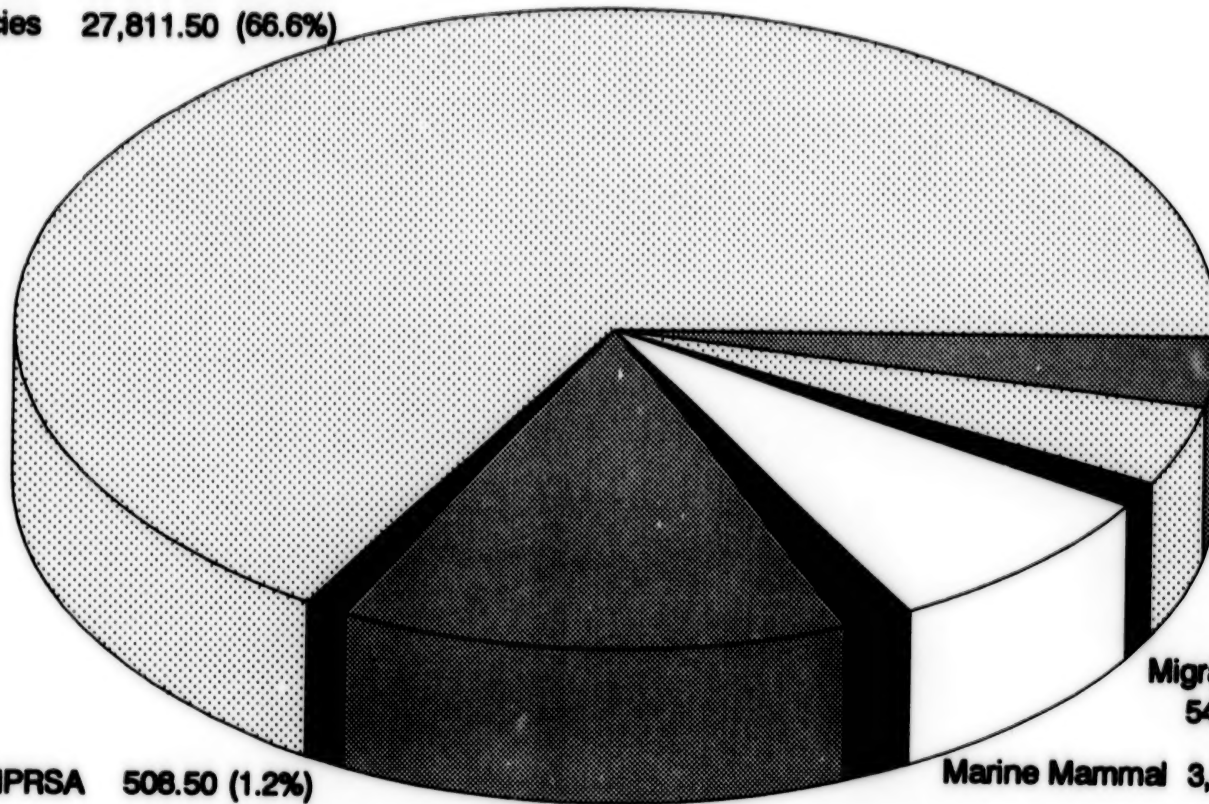


**Total: 15,741.50**

**FY90 - FY92  
TIME BY CATEGORY  
WILDLIFE AND MARINE RESOURCES SECTION  
(CIVIL CASES)**

**TOTAL HOURS**

Endangered Species 27,811.50 (66.6%)



Other  
1,478.75 (3.5%)

General Wildlife  
1,699.25 (4.1%)

Migratory Bird  
547.50 (1.3%)

Marine Mammal 3,248.25 (7.8%)

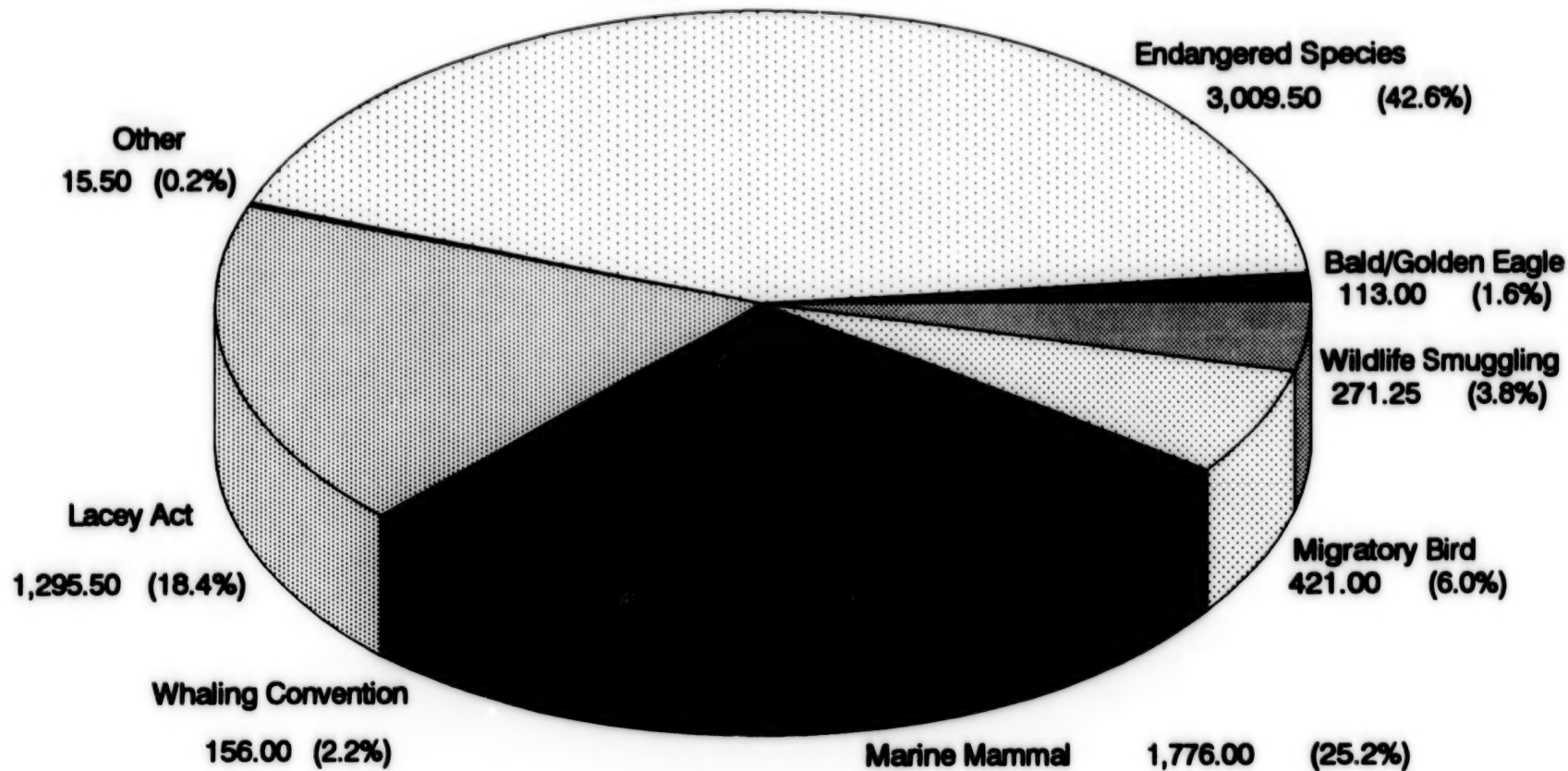
Wildlife Refuge 791.50 (1.9%)

MPRSA 508.50 (1.2%)

Magnuson Act 5,695.75 (13.6%)

**Total: 41,781.00**

**FY92**  
**TIME BY CATEGORY**  
**WILDLIFE AND MARINE RESOURCES SECTION**  
**(CRIMINAL CASES)**  
**TOTAL HOURS**

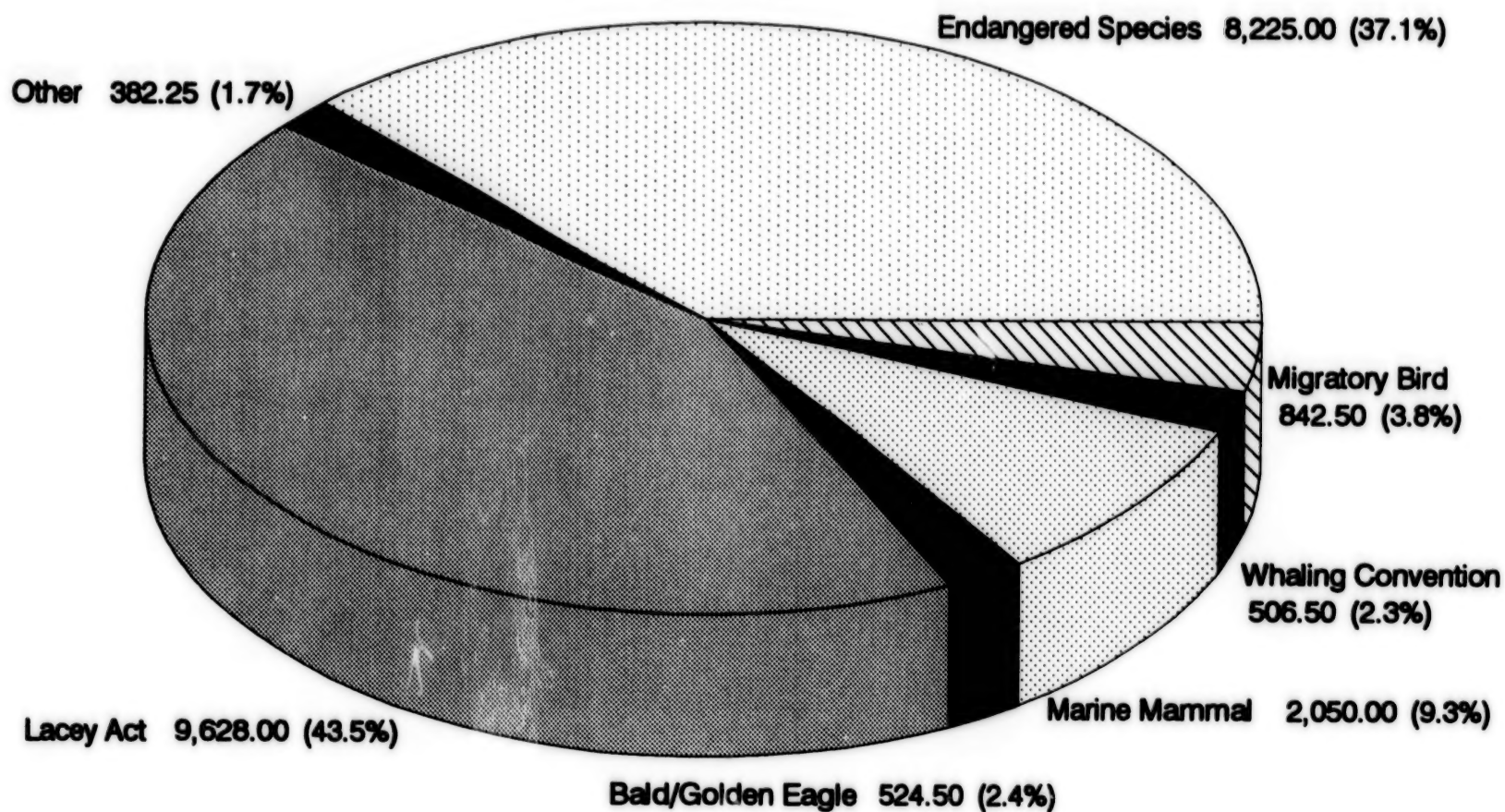


**Total: 7,057.75**



**FY90 - FY92  
TIME BY CATEGORY  
WILDLIFE AND MARINE RESOURCES SECTION  
(CRIMINAL CASES)**

**TOTAL HOURS**



**Total: 22,158.75**

# FY92

## SECTION ATTORNEY AND PARALEGAL TIME

### (DIVISION CASES WORKED ON BY INDIVIDUAL SECTIONS)

(A case is counted once for each section working on it.)

#### ADMINISTRATION (Litigation Support)

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
APPELLATE (ORIGINAL)	1.00	59.50	59.50
ENVIRN. CRIMES	8.00	830.25	103.78
ENVIRN. DEFENSE	22.00	1052.00	47.82
ENVIRN. ENFORCEMENT	94.00	12414.00	132.06
GENERAL LITIGATION	22.00	1951.00	88.68
INDIAN RESOURCES	5.00	464.00	92.80
LAND ACQUISITION	7.00	216.50	30.93
WILDLIFE	2.00	681.00	340.50
OTHER	3.00	2161.25	720.42
TOTAL	164.00	19829.50	120.91

#### APPELLATE

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
APPELLATE (ORIGINAL)	73.00	4597.50	62.98
ENVIRN. CRIMES	19.00	1213.25	63.86
ENVIRN. DEFENSE	81.00	5732.25	70.77
ENVIRN. ENFORCEMENT	56.00	4411.75	78.78
GENERAL LITIGATION	242.00	19177.25	79.24
INDIAN RESOURCES	22.00	3280.75	149.13
LAND ACQUISITION	25.00	884.25	35.37
PLSL	10.00	735.00	73.50
WILDLIFE	41.00	2988.50	72.89
TOTAL	569.00	43020.50	75.61

#### ENVIRONMENTAL CRIMES

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
ENVIRN. CRIMES	300.00	43003.50	143.35
PLSL	1.00	2.00	2.00
TOTAL	301.00	43005.50	142.88

#### ENVIRONMENTAL DEFENSE

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
APPELLATE (ORIGINAL)	3.00	136.00	45.33
ENVIRN. CRIMES	1.00	7.00	7.00
ENVIRN. DEFENSE	1064.00	103332.25	97.12
ENVIRN. ENFORCEMENT	73.00	1523.50	20.87
GENERAL LITIGATION	2.00	891.50	445.75
PLSL	1.00	10.00	10.00
WILDLIFE	1.00	1.00	1.00
TOTAL	1145.00	105901.25	92.49

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**FY92**  
**SECTION ATTORNEY AND PARALEGAL TIME**  
**(DIVISION CASES WORKED ON BY INDIVIDUAL SECTIONS)**  
**(Continued)**

(A case is counted once for each section working on it.)

**ENVIRONMENTAL ENFORCEMENT**

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
APPELLATE (ORIGINAL)	4.00	69.75	17.44
ENVIRN. CRIMES	1.00	34.50	34.50
ENVIRN. DEFENSE	117.00	2327.00	19.89
ENVIRN. ENFORCEMENT	1717.00	327183.25	190.56
GENERAL LITIGATION	2.00	119.25	59.63
PLSL	8.00	290.25	36.28
WILDLIFE	1.00	4.50	4.50
TOTAL	1850.00	330028.50	178.39

**GENERAL LITIGATION**

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
APPELLATE (ORIGINAL)	1.00	78.00	78.00
ENVIRN. DEFENSE	6.00	149.25	24.88
ENVIRN. ENFORCEMENT	3.00	399.00	133.00
GENERAL LITIGATION	752.00	111665.25	148.49
INDIAN RESOURCES	8.00	539.75	67.47
LAND ACQUISITION	1.00	33.00	33.00
WILDLIFE	11.00	344.00	31.27
TOTAL	782.00	113208.25	144.77

**INDIAN RESOURCES**

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
GENERAL LITIGATION	5.00	649.50	129.90
INDIAN RESOURCES	74.00	21233.50	286.94
TOTAL	79.00	21883.00	277.00

**LAND ACQUISITION**

SECTION	CASES	TOTAL HOURS	AVG HOURS /CASE
ENVIRN. ENFORCEMENT	3.00	47.50	15.83
GENERAL LITIGATION	5.00	357.75	71.55
LAND ACQUISITION	1222.00	29687.50	24.29
PLSL	3.00	14.50	4.83
TOTAL	1233.00	30107.25	24.42

**FY92**  
**SECTION ATTORNEY AND PARALEGAL TIME**  
**(DIVISION CASES WORKED ON BY INDIVIDUAL SECTIONS)**  
**(Continued)**

---

(A case is counted once for each section working on it.)

**PLSL**

<b>SECTION</b>	<b>CASES</b>	<b>TOTAL HOURS</b>	<b>AVG HOURS /CASE</b>
APPELLATE (ORIGINAL)	6.00	1220.00	203.33
ENVIRN. DEFENSE	12.00	971.75	80.98
ENVIRN. ENFORCEMENT	17.00	1993.00	117.24
GENERAL LITIGATION	16.00	2887.00	180.44
INDIAN RESOURCES	2.00	108.50	54.25
PLSL	175.00	11493.50	65.68
WILDLIFE	8.00	1178.25	147.28
<b>TOTAL</b>	<b>236.00</b>	<b>19852.00</b>	<b>84.12</b>

**WILDLIFE**

<b>SECTION</b>	<b>CASES</b>	<b>TOTAL HOURS</b>	<b>AVG HOURS /CASE</b>
APPELLATE (ORIGINAL)	1.00	4.50	4.50
ENVIRN. CRIMES	1.00	4.00	4.00
GENERAL LITIGATION	2.00	3.50	1.75
PLSL	3.00	2.50	0.83
WILDLIFE	397.00	22784.75	57.39
<b>TOTAL</b>	<b>404.00</b>	<b>22799.25</b>	<b>56.43</b>

**SPECIAL LITIGATION**

<b>SECTION</b>	<b>CASES</b>	<b>TOTAL HOURS</b>	<b>AVG HOURS /CASE</b>
ENVIRN. DEFENSE	3.00	28.00	9.33
ENVIRN. ENFORCEMENT	2.00	78.00	39.00
GENERAL LITIGATION	17.00	3611.00	212.41
WILDLIFE	1.00	80.00	80.00
<b>TOTAL</b>	<b>23.00</b>	<b>3797.00</b>	<b>165.09</b>

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**FY92**  
**DIVISION ATTORNEY AND PARALEGAL TIME**  
**(by Case Type)**  
**(Includes Citizen Enforcement Suits)**

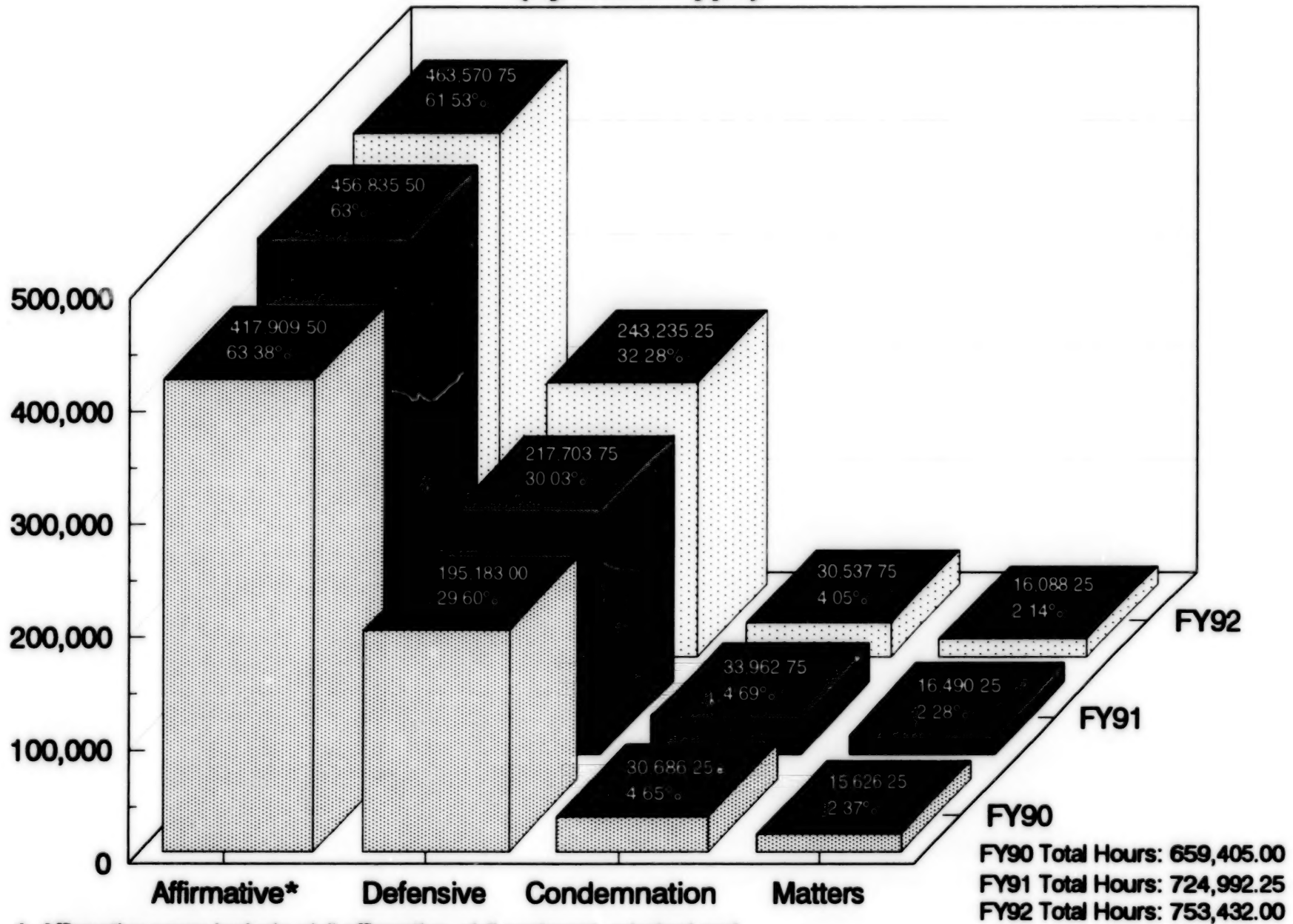
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<b>Case Type</b>	<b>Cases</b>	<b>Total Hours</b>	<b>Average Hours Per Case</b>
<b>Civil, Affirmative</b>	2,175	408,460.25	187.80
<b>Civil, Defensive</b>	2,062	243,235.25	117.96
<b>Condemnation/Title</b>	1,234	30,537.75	24.75
<b>Criminal</b>	444	55,110.50	124.12
<b>Matters</b>	185	16,088.25	86.96
	<hr/>	<hr/>	<hr/>
<b>TOTAL</b>	6,100	753,432.00	123.51

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# **FY90 - FY92** **DIVISION ATTORNEY AND PARALEGAL TIME** **(by Case Type)**



\* Affirmative cases include civil affirmative, civil contempt, criminal and citizen enforcement suit cases.

**FY92**  
**DIVISION ATTORNEY AND PARALEGAL TIME**  
**(by Client Agency)**

AGENCY	CASES WORKED ON	TOTAL HOURS BILLED TO CASES	AVG HRS PER CASE	% OF TOTAL TIME
AGRICULTURE	188	22,499.00	119.68	3.0
AIR FORCE	79	10,314.00	130.56	1.4
ARMY	700	40,817.25	58.31	5.4
COMMERCE	149	15,705.75	105.41	2.1
DEFENSE	60	9,359.50	155.99	1.2
ENERGY	110	8,653.75	78.67	1.1
ENVIRON PROTECTION AGENCY	2,630	418,243.25	159.03	55.5
EXECUTIVE OFFICE OF PRES	4	6,459.75	1,614.94	0.8
FED EMERGENCY MGMT AGENCY	140	880.25	6.29	0.1
GENERAL SERVICES ADMIN	41	13,077.00	318.95	1.7
INTERSTATE COMMERCE COMM	3	1,155.25	385.08	0.2
INTERIOR	1,239	146,567.50	118.29	19.5
JUSTICE	241	22,092.00	91.67	2.9
NAVY	90	9,194.00	102.16	1.2
POSTAL SERVICE	26	1,112.25	42.78	0.1
STATE	17	1,786.50	105.09	0.2
TRANSPORTATION	115	11,257.25	97.89	1.5
WASH MET AREA TRANSIT AUTH	15	4,066.00	271.07	0.5
OTHER*	253	10,191.75	40.28	1.4
<b>TOTAL</b>	<b>6,100</b>	<b>753,432.00</b>	<b>123.51</b>	

\* Includes agencies with less than 500 hours billed and some legislative, congressional and policy issues where there is no client agency assigned.

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**FY92**  
**SECTION ATTORNEY AND PARALEGAL TIME**  
**(by Client Agency)**

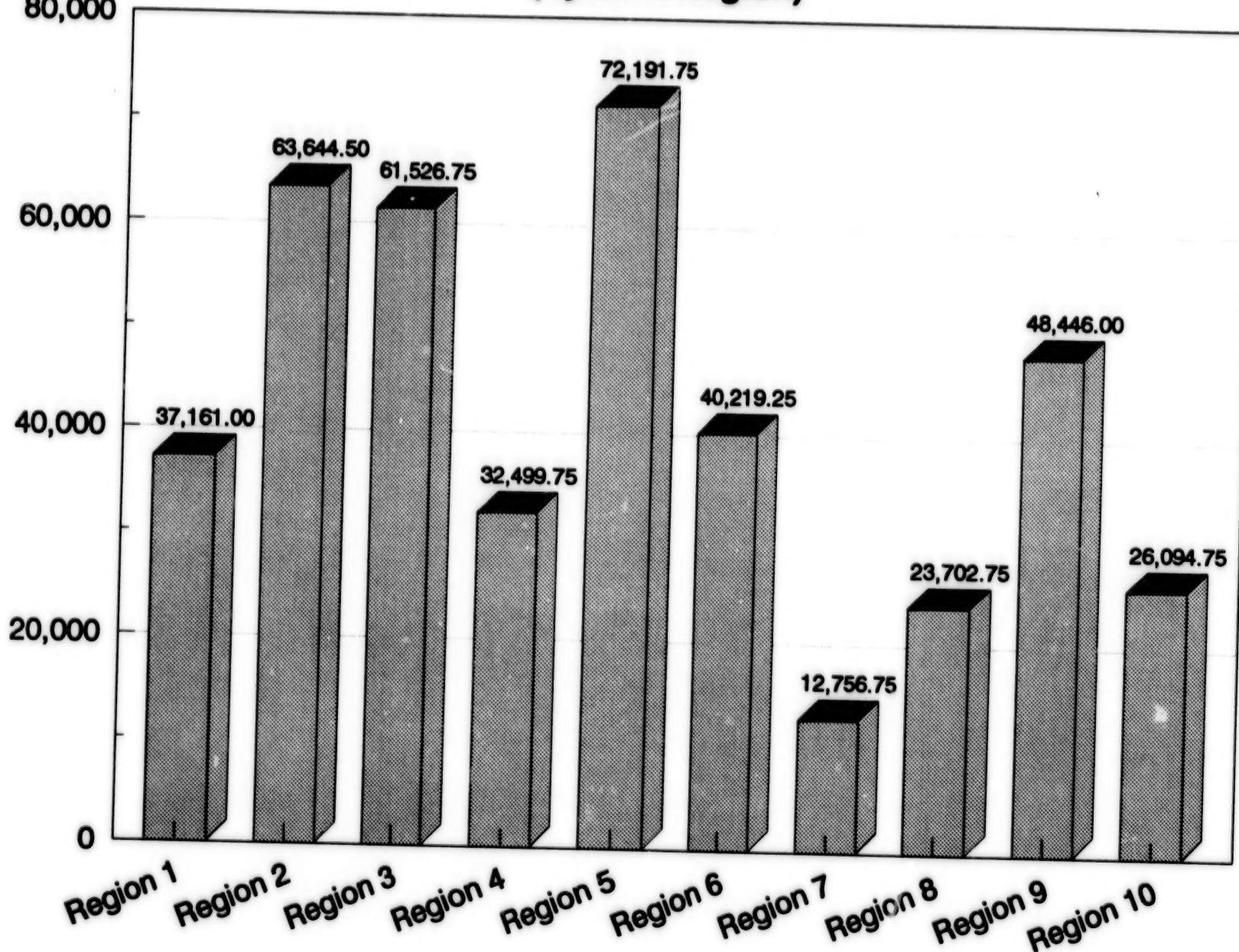
AGENCY	ADMIN (Lit Sup)	APPELLATE	ENV CRIMES	ENV DEFENSE	ENV ENFOR	GENERAL LIT	INDIAN RESOURCES	LAND ACQUIS	PLSL	SPECIAL LIT	WILDLIFE	TOTAL
AGRICULTURE	5.50	3,539.50	.00	1,024.00	140.00	15,152.50	.00	263.00	1,317.00	.00	1,057.50	22,499.00
AIR FORCE	106.00	669.00	.00	4,204.50	21.00	2,225.75	.00	3,087.75	.00	.00	.00	10,314.00
ARMY	2,972.00	3,387.75	578.25	12,927.75	225.25	11,459.00	12.00	6,580.50	233.50	2,438.00	3.25	40,817.25
COMMERCE	59.50	2,231.75	.00	3,275.50	2,895.75	504.00	.00	23.75	1,088.50	80.00	5,547.00	15,785.75
DEFENSE	95.00	403.25	39.00	6,047.25	92.50	2,437.00	.00	.00	7.00	.00	238.50	9,359.50
ENERGY	.00	1,380.75	.00	3,057.00	121.00	2,422.75	.00	1,653.25	18.50	.00	.50	8,653.75
ENVIRON PROTECTION AGENCY	9,354.25	9,027.25	27,000.75	50,620.50	314,939.75	2,750.25	.00	395.50	3,221.00	100.00	834.00	418,243.25
EXECUTIVE OFFICE OF PRES	.00	.00	.00	.75	3.00	5,425.00	.00	.00	1,031.00	.00	.00	6,459.75
FED EMERGENCY MGMT AGENCY	.00	.00	.00	.00	.00	.00	.00	170.25	.00	.00	710.00	880.25
GENERAL SERVICES ADMIN	271.75	153.50	.00	8,913.25	6.50	881.50	.00	2,850.50	.00	.00	.00	13,077.00
INTERSTATE COMMERCE COMM	.00	2.00	.00	.00	.00	1,151.75	.00	1.50	.00	.00	.00	1,155.25
INTERIOR	3,390.75	17,788.75	109.00	7,053.50	8,033.50	63,015.25	21,637.00	8,929.25	1,335.00	1,157.00	14,118.50	146,547.50
JUSTICE	2,371.50	1,008.75	13,447.75	97.50	1.50	1,363.25	.00	374.50	3,424.75	.00	2.50	22,092.00
NAVY	37.75	189.00	1,763.00	4,798.00	151.75	1,588.75	.00	545.00	98.75	22.00	.00	9,194.00
POSTAL SERVICE	.00	23.00	.00	771.75	7.00	44.25	.00	266.25	.00	.00	.00	1,112.25
STATE	.00	.00	.00	.00	68.00	255.50	231.00	7.00	1,084.00	.00	141.00	1,786.50
TRANSPORTATION	1,104.00	2,288.75	1.00	2,167.00	2,979.00	1,933.75	.00	746.75	.00	.00	37.00	11,257.25
WASH MET AREA TRANSIT AUTH	49.50	174.50	.00	.00	.00	.00	.00	3,842.00	.00	.00	.00	4,066.00
OTHER*	12.00	753.00	66.75	943.00	343.00	598.00	3.00	370.50	6,993.00	.00	109.50	10,191.75
<b>TOTAL</b>	<b>19,829.50</b>	<b>43,020.50</b>	<b>43,005.50</b>	<b>105,901.25</b>	<b>330,028.50</b>	<b>113,208.25</b>	<b>21,883.00</b>	<b>30,107.25</b>	<b>19,852.00</b>	<b>3,797.00</b>	<b>22,799.25</b>	<b>753,432.00</b>

\* Includes agencies with less than 500 hours billed and some legislative, congressional and policy issues where there is no client agency assigned.

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**FY92**  
**DIVISION ATTORNEY AND PARALEGAL TIME ON EPA CASES**  
**(by EPA Region)**

**Hours**  
80,000



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# FY92

## DIVISION ATTORNEY AND PARALEGAL TIME

### (by Judicial District)

Includes time billed by Litigation Support Specialists and Special Litigation Counsel

DISTRICT	CASES	TOTAL HOURS	AVG HOURS
ALABAMA, MIDDLE	11	1,786.00	162.36
ALABAMA, NORTHRN	13	2,124.50	163.42
ALABAMA, SOUTHRN	22	2,311.25	105.06
ALASKA	133	21,791.00	163.84
ARIZONA	139	21,268.50	153.01
ARKANSAS, EASTRN	27	5,734.00	212.37
ARKANSAS, WESTRN	21	2,561.50	121.98
CALIF, CENTRAL	121	33,009.50	272.81
CALIF, EASTERN	124	21,212.50	171.07
CALIF, NORTHERN	102	12,345.50	121.03
CALIF, SOUTHERN	49	10,291.50	210.03
COLORADO	154	34,780.00	225.84
CONNECTICUT	56	4,575.00	81.70
DELAWARE	29	2,578.75	88.92
DIST. COLUMBIA	189	37,990.75	201.01
FLORIDA, MIDDLE	71	7,629.25	107.45
FLORIDA, NORTHRN	33	2,164.50	65.59
FLORIDA, SOUTHRN	168	15,258.25	90.82
GEORGIA, MIDDLE	16	3,541.00	221.31
GEORGIA, NORTHRN	25	2,974.00	118.96
GEORGIA, SOUTHRN	15	832.25	55.48
GUAM	6	288.00	48.00
HAWAII	33	6,573.00	199.18
IDaho	64	14,929.50	233.27
ILLINOIS, CENTRL	14	2,627.50	187.68
ILLINOIS, NORTRN	76	5,327.75	70.10
ILLINOIS, SOUTRN	25	5,440.00	217.60
INDIANA, NORTHRN	76	14,853.00	195.43
INDIANA, SOUTHRN	70	6,779.50	96.85
IOWA, NORTHERN	18	1,526.00	84.78
IOWA, SOUTHERN	20	2,123.00	106.15
KANSAS	23	3,601.00	156.57

# FY92

## DIVISION ATTORNEY AND PARALEGAL TIME

### (by Judicial District)

Includes time billed by Litigation Support Specialists and Special Litigation Counsel

DISTRICT	CASES	TOTAL HOURS	AVG HOURS
KENTUCKY, EASTRN	118	2,992.75	25.36
KENTUCKY, WESTRN	72	3,449.00	47.90
LOUISIANA, EAST	56	2,929.00	52.30
LOUISIANA, WEST	58	9,176.25	158.21
LOUISIANA, MIDL	30	781.25	26.04
MAINE	25	1,075.50	43.02
MARYLAND	69	9,767.00	141.55
MASSACHUSETTS	126	17,181.50	136.36
MICHIGAN, EASTRN	159	8,856.00	55.70
MICHIGAN, WESTRN	72	9,426.50	130.92
MINNESOTA	70	7,287.75	104.11
MISSISSIPPI, NOR	16	286.25	17.89
MISSISSIPPI, SOU	78	1,616.25	20.72
MISSOURI, EASTRN	51	3,854.50	175.58
MISSOURI, WESTRN	48	1,423.25	29.65
MONTANA	95	16,237.25	170.92
N. CAROLINA, EAST	29	2,052.25	70.77
N. CAROLINA, MIDL	25	3,271.75	130.87
N. CAROLINA, WEST	15	943.00	62.87
NEBRASKA	17	2,302.50	135.44
NEVADA	57	10,321.25	181.07
NEW HAMPSHIRE	37	5,449.50	147.28
NEW JERSEY	164	23,696.00	144.49
NEW MEXICO	79	5,706.50	72.23
NEW YORK, EASTRN	41	2,366.75	57.73
NEW YORK, NORTRN	50	6,808.75	136.18
NEW YORK, SOUTRN	58	3,069.75	52.93
NEW YORK, WESTRN	34	17,059.00	501.74
NORTH DAKOTA	25	1,830.25	73.21
OHIO, NORTHERN	106	8,496.25	80.15
OHIO, SOUTHERN	62	8,747.00	141.08
OKLAHOMA, EASTRN	19	3,920.75	206.36
OKLAHOMA, NORTRN	34	2,912.25	85.65

# FY92

## DIVISION ATTORNEY AND PARALEGAL TIME

### (by Judicial District)

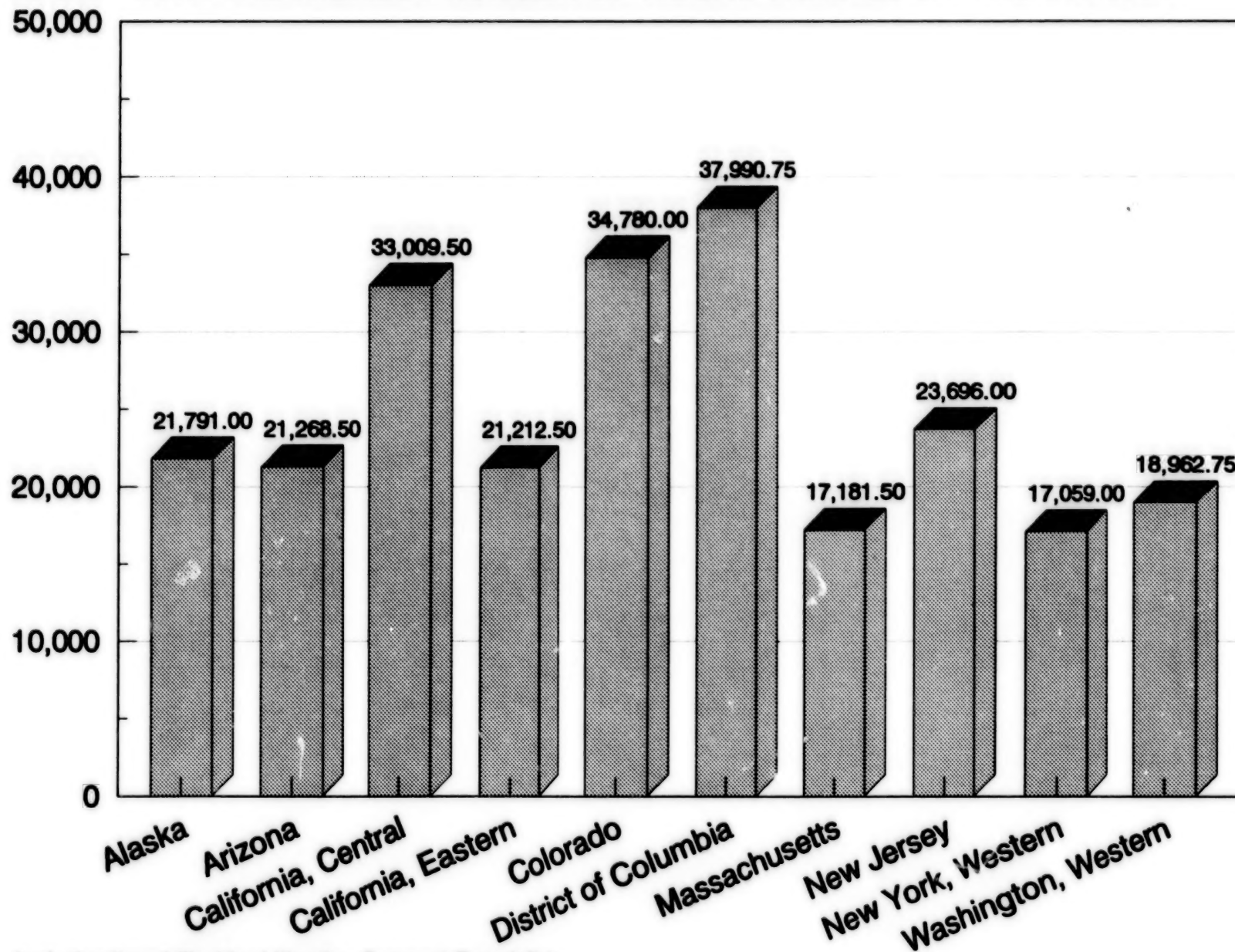
Includes time billed by Litigation Support Specialists and Special Litigation Counsel

DISTRICT	CASES	TOTAL HOURS	AVG HOURS
OKLAHOMA, WESTERN	31	2,558.50	82.53
OREGON	109	12,959.50	118.89
ORIG IN CT OF FED CLS	9	1,259.50	139.94*
ORIGINAL APPEAL	300	17,986.75	59.96
PENN, EASTERN	119	15,579.75	130.92
PENN, MIDDLE	71	8,721.75	122.84
PENN, WESTERN	84	6,700.00	79.76
PUERTO RICO	36	4,946.25	137.40
RHODE ISLAND	27	16,150.50	598.17
SOUTH CAROLINA	60	5,106.25	85.10
SOUTH DAKOTA	27	624.00	23.11
TENNESSEE, EASTERN	26	4,940.00	190.00
TENNESSEE, MIDDLE	5	161.50	32.30
TENNESSEE, WESTERN	10	1,612.50	161.25
TEXAS, EASTERN	137	2,714.50	19.81
TEXAS, SOUTHERN	158	12,535.75	79.34
TEXAS, WESTERN	52	10,074.25	193.74
TEXAS, NORTHERN	53	15,911.00	300.21
UTAH	52	14,889.75	286.34
VERMONT	24	1,112.25	46.34
VIRGIN ISLANDS	19	2,209.25	116.28
VIRGINIA, EASTERN	74	9,351.25	126.37
VIRGINIA, WESTERN	34	2,517.25	74.04
WASHINGTON, EAST	46	5,755.50	125.12
WASHINGTON, WEST	134	18,962.75	14.51
WEST VA, NORTH	77	6,733.00	87.44
WEST VA, SOUTH	39	7,030.25	180.26
WISCONSIN, EAST	46	4,444.25	96.61
WISCONSIN, WEST	19	2,572.75	135.4
WYOMING	60	5,523.00	92.05
UNIDENTIFIED	224	15,667.25	69.94
	-----	-----	-----
TOTAL ALL DISTRICTS	6,100	753,432.00	123.51

\* There are 35,413.25 additional hours billed to Court of Federal Claims cases assigned to the General Litigation Section. These hours are dispersed under the judicial district in which the case originated.

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**FY92  
JUDICIAL DISTRICTS  
WITH THE HIGHEST NUMBER OF HOURS WORKED BY THE DIVISION**



Includes time billed by Litigation Support Specialists and Special Litigation Counsel.



# **Section 4**

## **Case Duration**



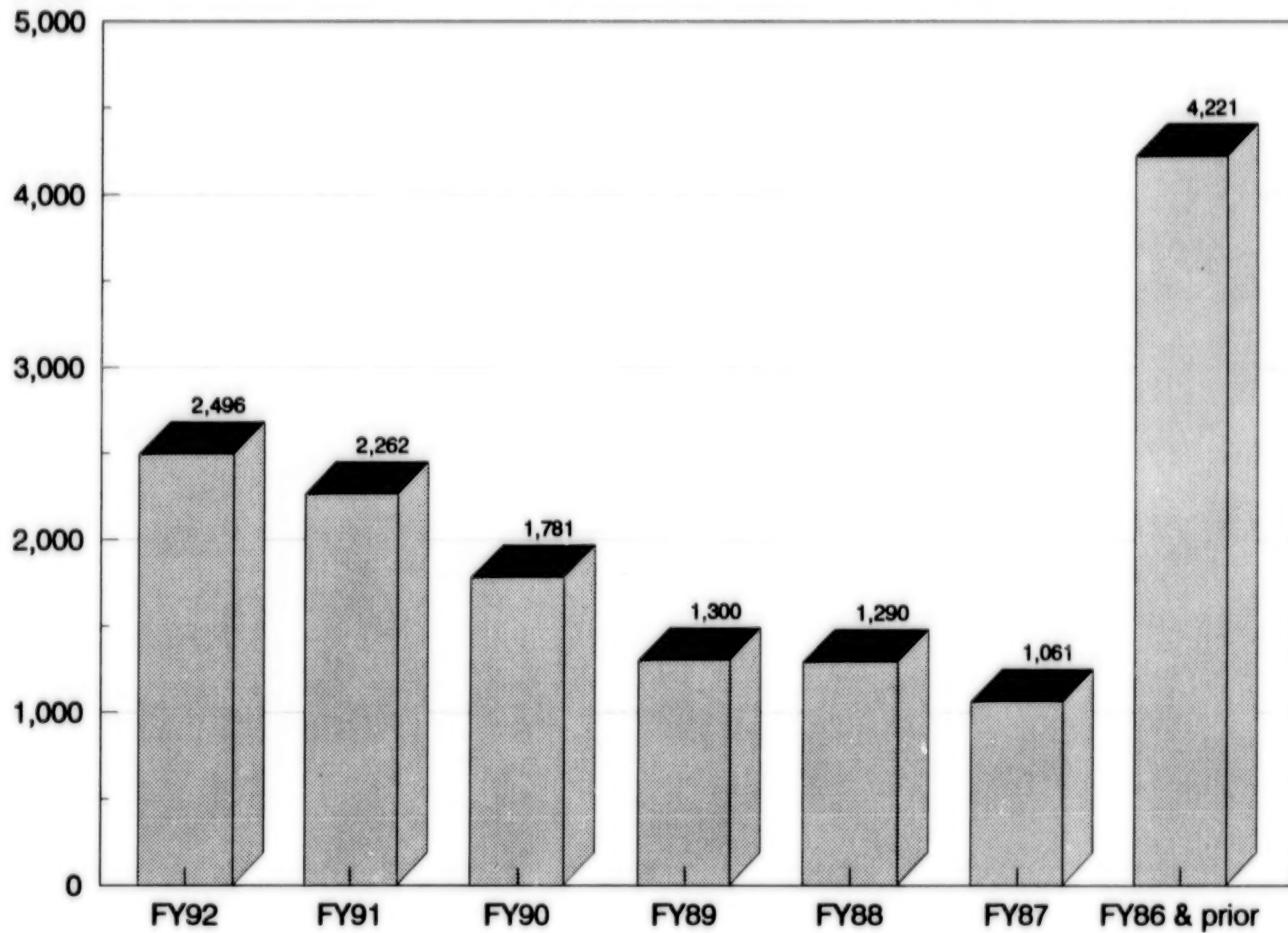
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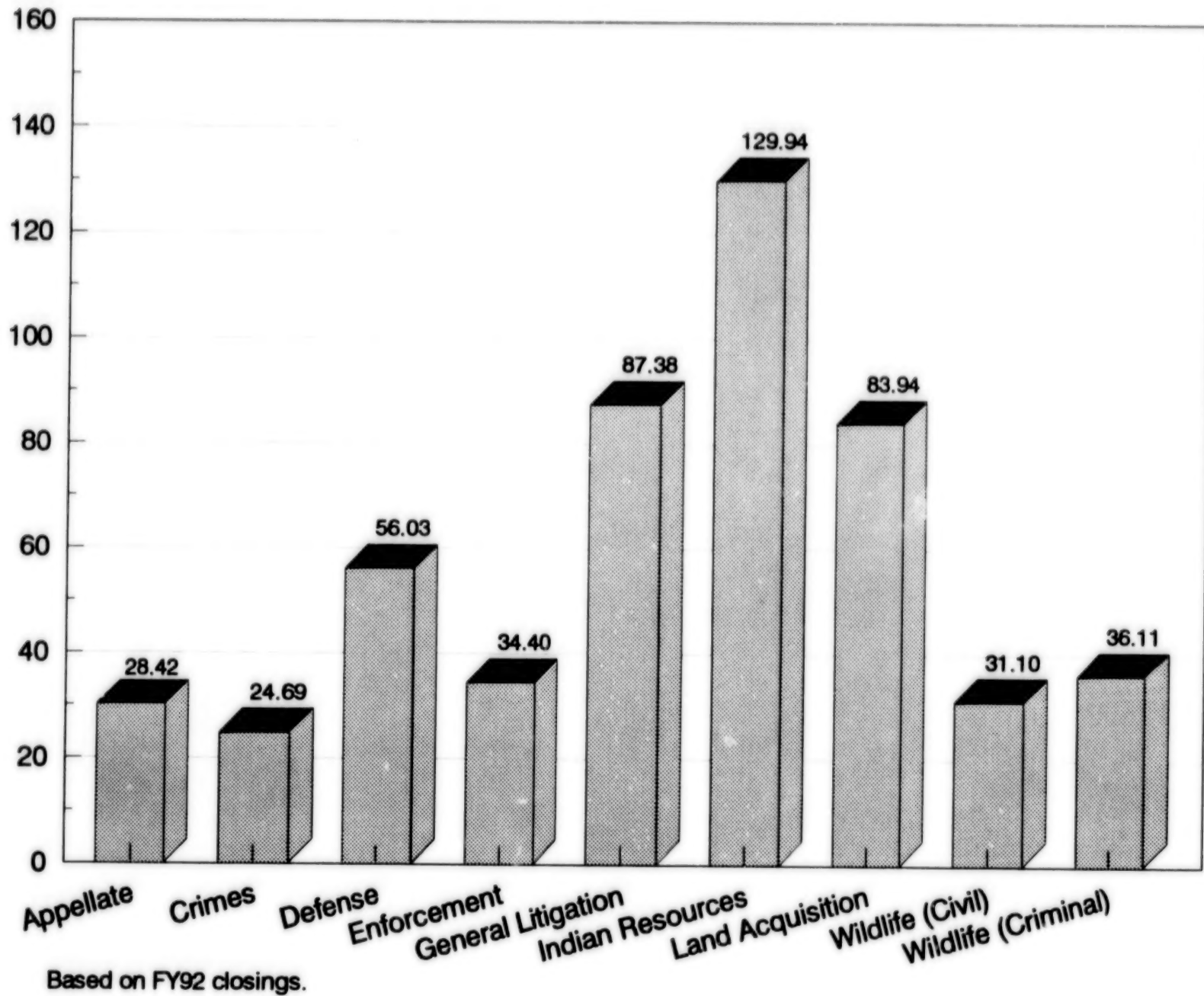
**DIVISION CASE/MATTER AGING REPORT**  
**(Cases Received by FY and Still Active at the End of FY92)**  
**(Excluding PLSL)**

SECTION	FY92 (1 Yr Old)	FY91 (2 Yrs Old)	FY90 (3 Yrs Old)	FY89 (4 Yrs Old)	FY88 (5 Yrs Old)	FY87 (6 Yrs Old)	FY86 and Prior (7 Yrs & Older)
Appellate	244	160	118	69	77	40	64
Environmental Crimes	105	131	37	28	15	3	0
Environmental Defense	518	325	354	175	118	84	163
Environmental Enforcement	409	445	277	245	182	115	171
General Litigation	364	315	284	237	289	187	905
Indian Resources	17	34	27	12	9	13	225
Land Acquisition (Tracts)	546	584	442	405	520	517	2,519
Wildlife - Civil	170	95	56	46	20	10	64
Criminal	101	138	173	73	59	90	108
Matters	22	15	13	10	1	2	2
Total	293	248	242	129	80	102	174
<b>TOTAL</b>	<b>2,496</b>	<b>2,262</b>	<b>1,781</b>	<b>1,300</b>	<b>1,290</b>	<b>1,061</b>	<b>4,221</b>
<b>GRAND TOTAL PENDING</b>	<b>14,411</b>						

**DIVISION CASE/MATTER AGING REPORT**  
**(Cases Received by FY and Still Active at the End of FY92)**  
**(Excluding PLSL)**

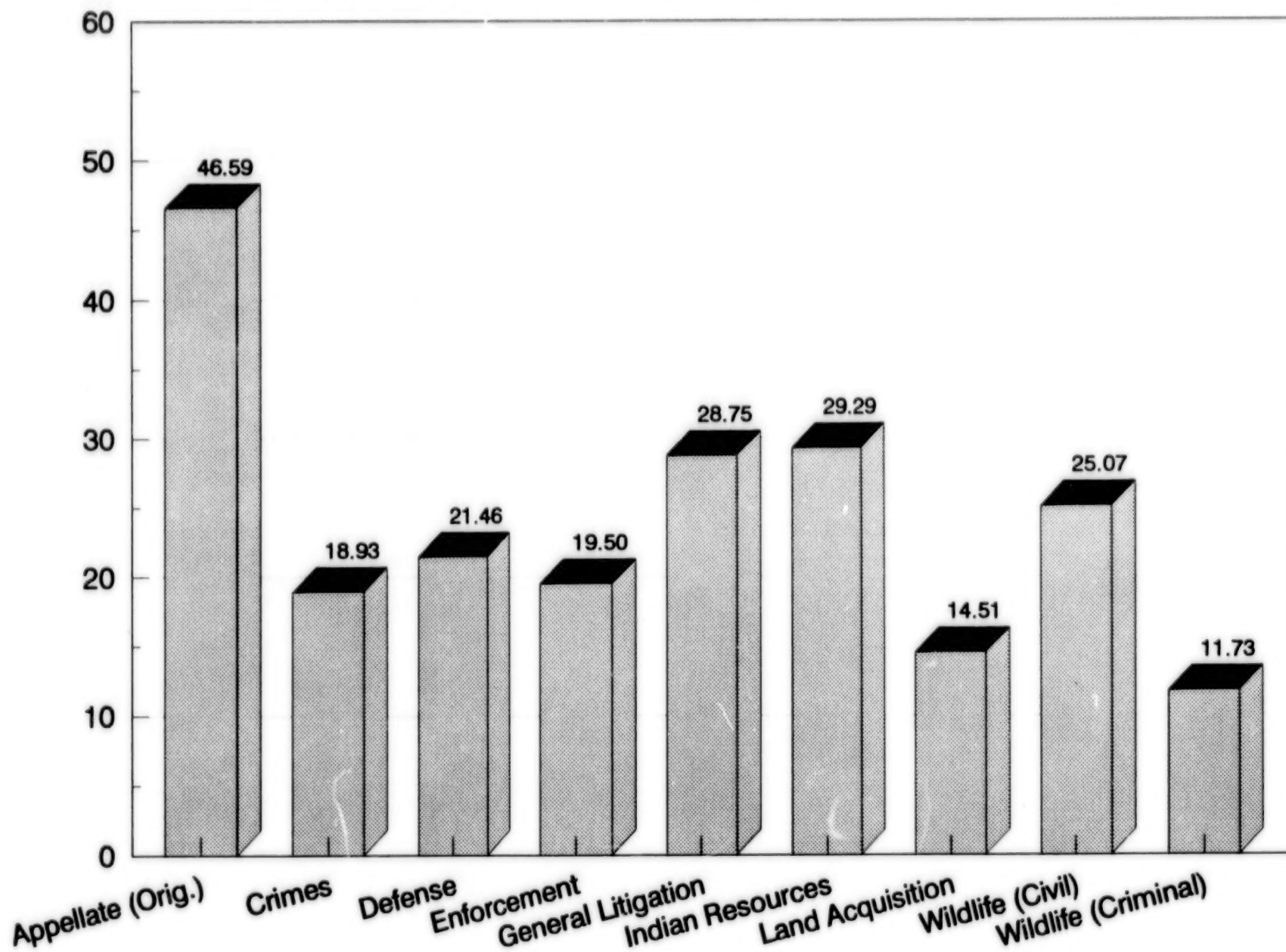


## AVERAGE NUMBER OF MONTHS CASES ARE OPEN





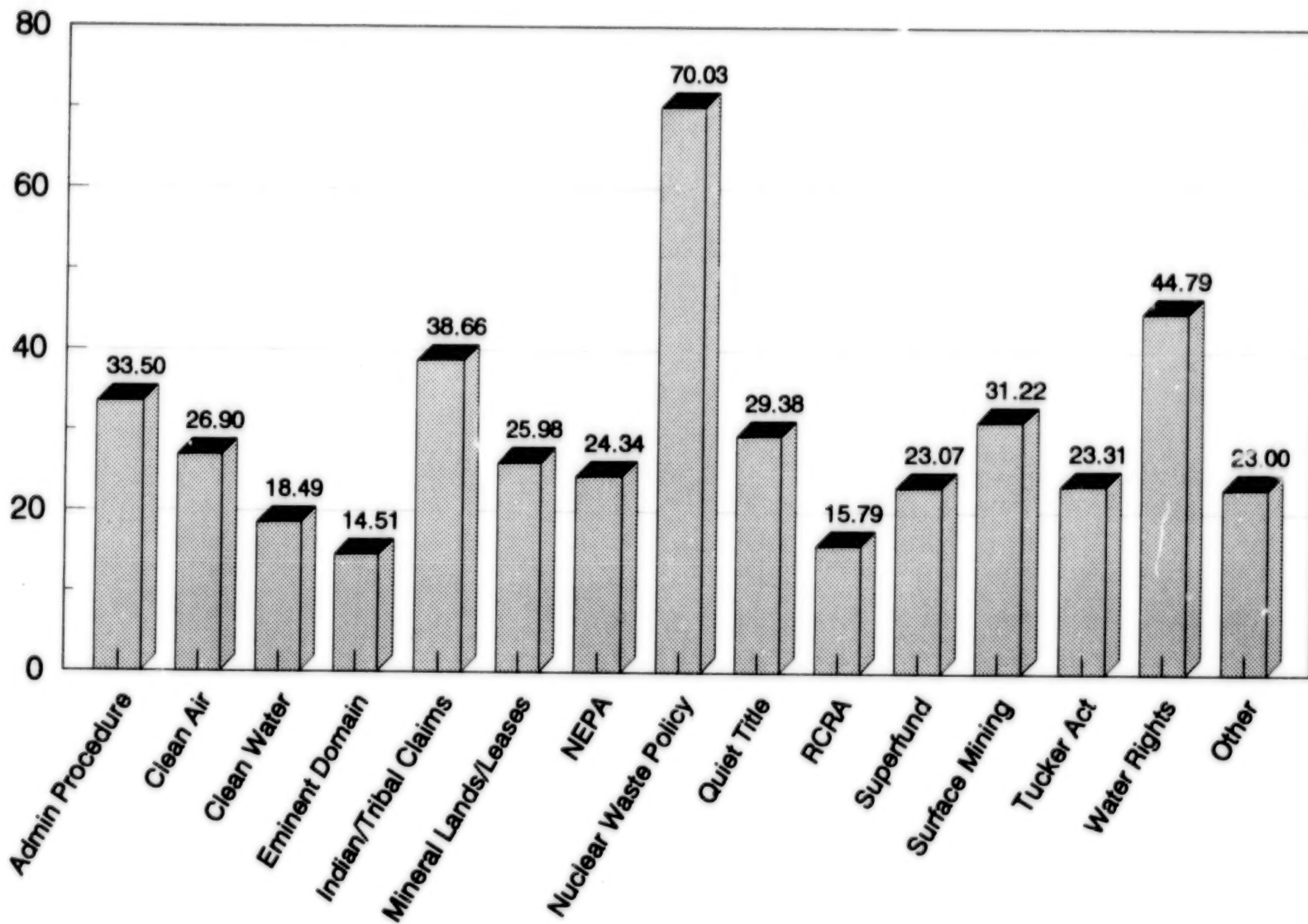
## AVERAGE NUMBER OF MONTHS CASES ARE ON APPEAL



Based on FY92 closings.

Average - 28.42 months

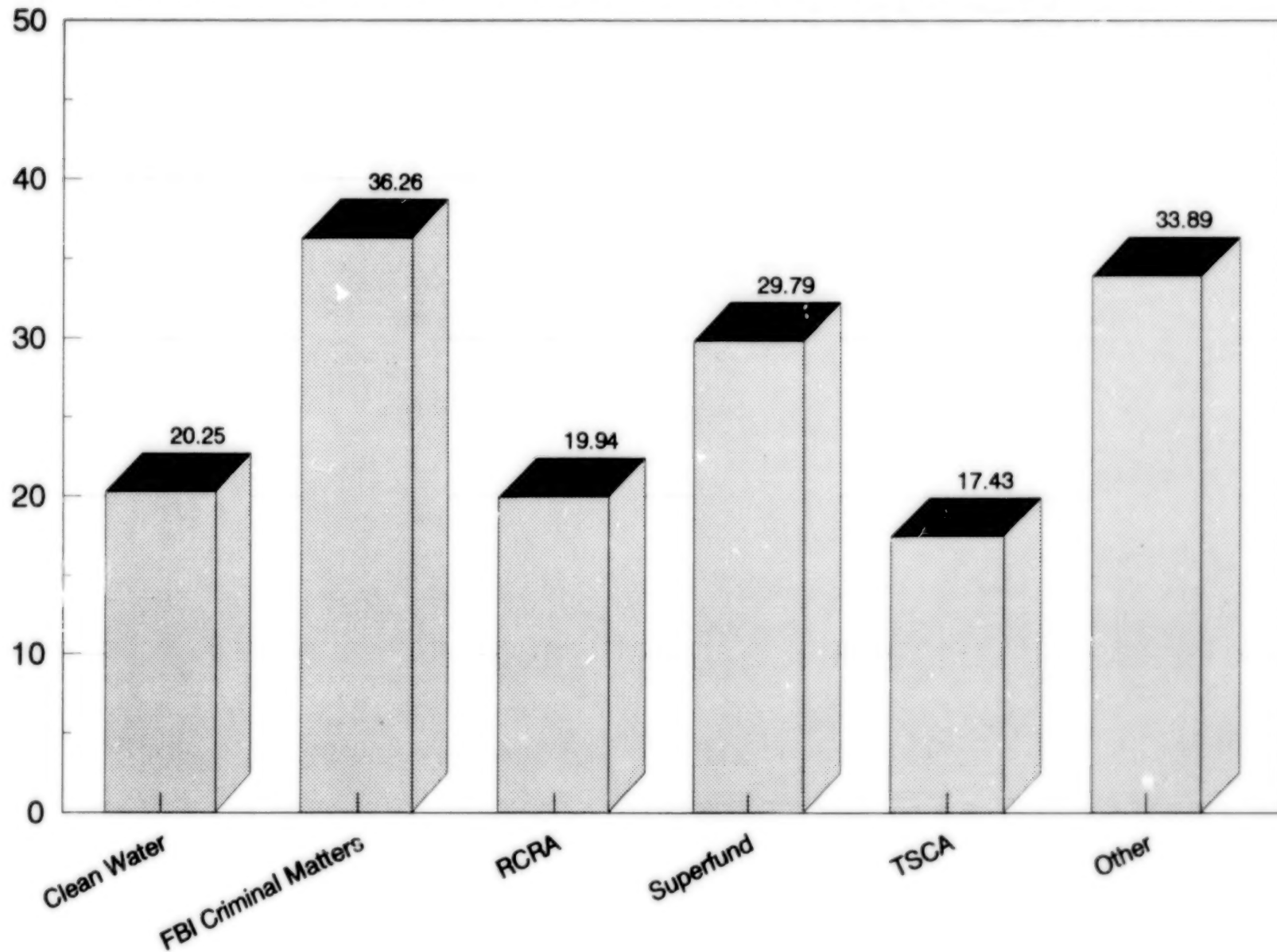
# APPELLATE SECTION AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN



Based on FY92 closings with 7 or more appeals per category.

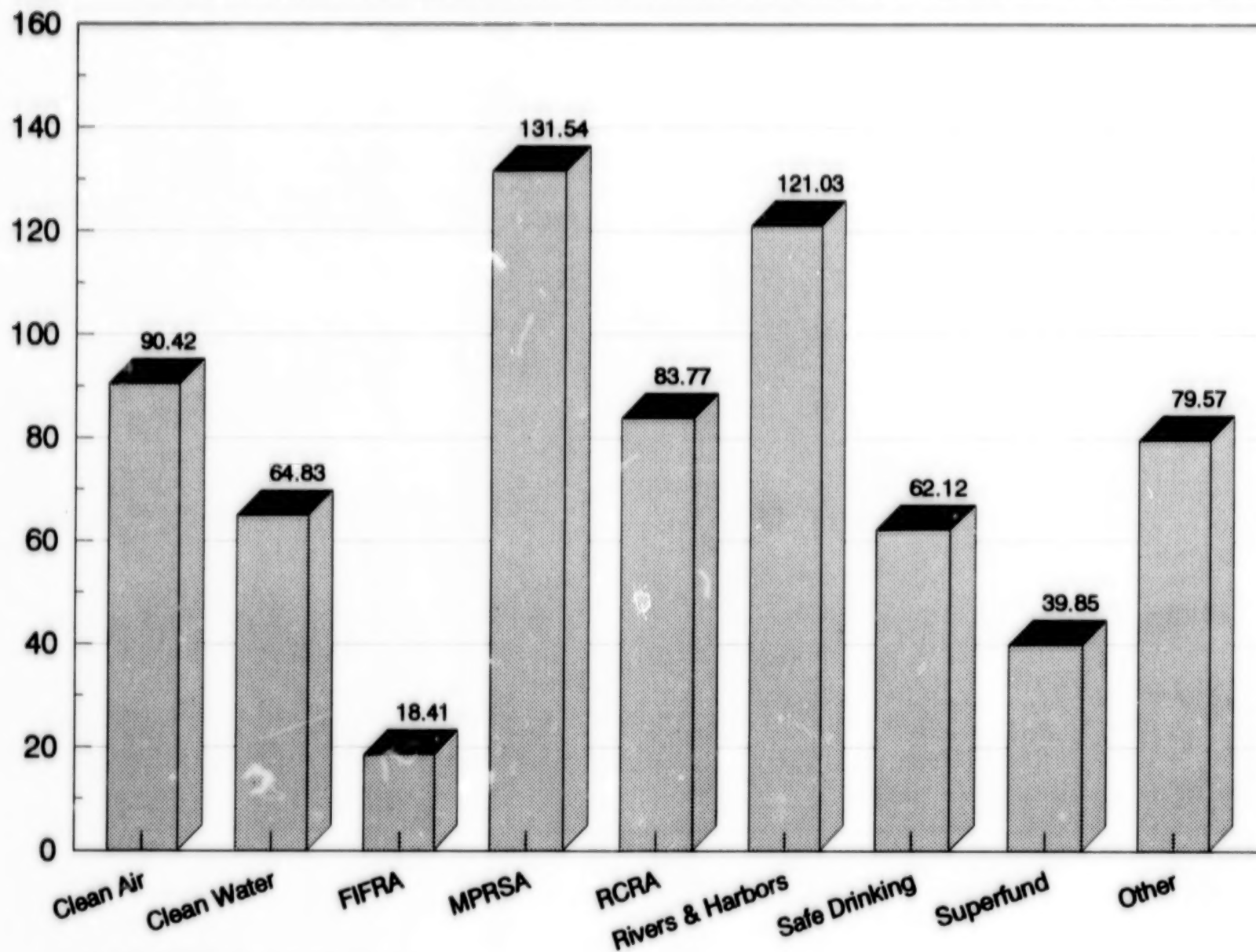
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# ENVIRONMENTAL CRIMES SECTION AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN



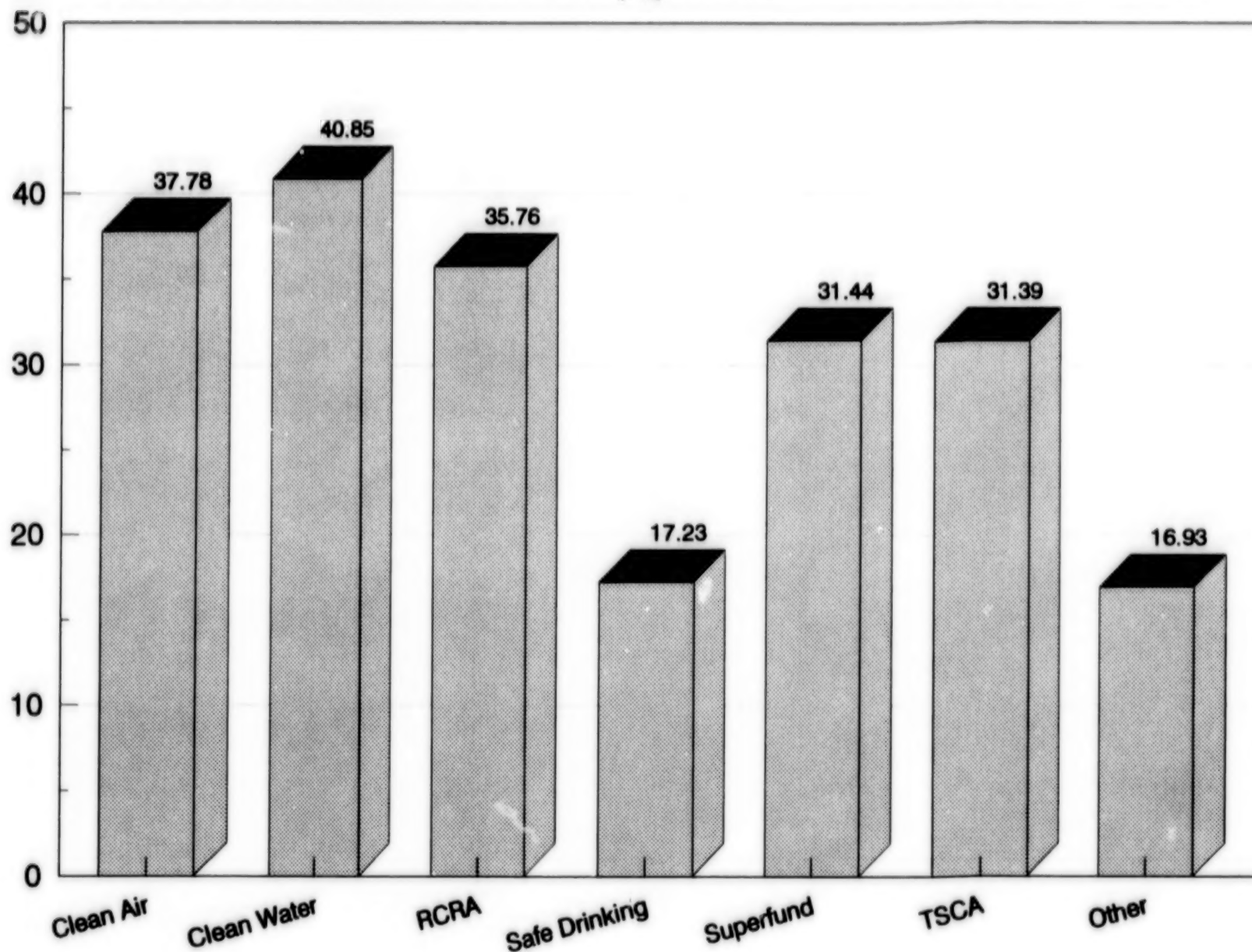
Based on FY92 closings with 5 or more cases per category.

**ENVIRONMENTAL DEFENSE SECTION**  
**AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN**



Based on FY92 closings with 7 or more cases per category.

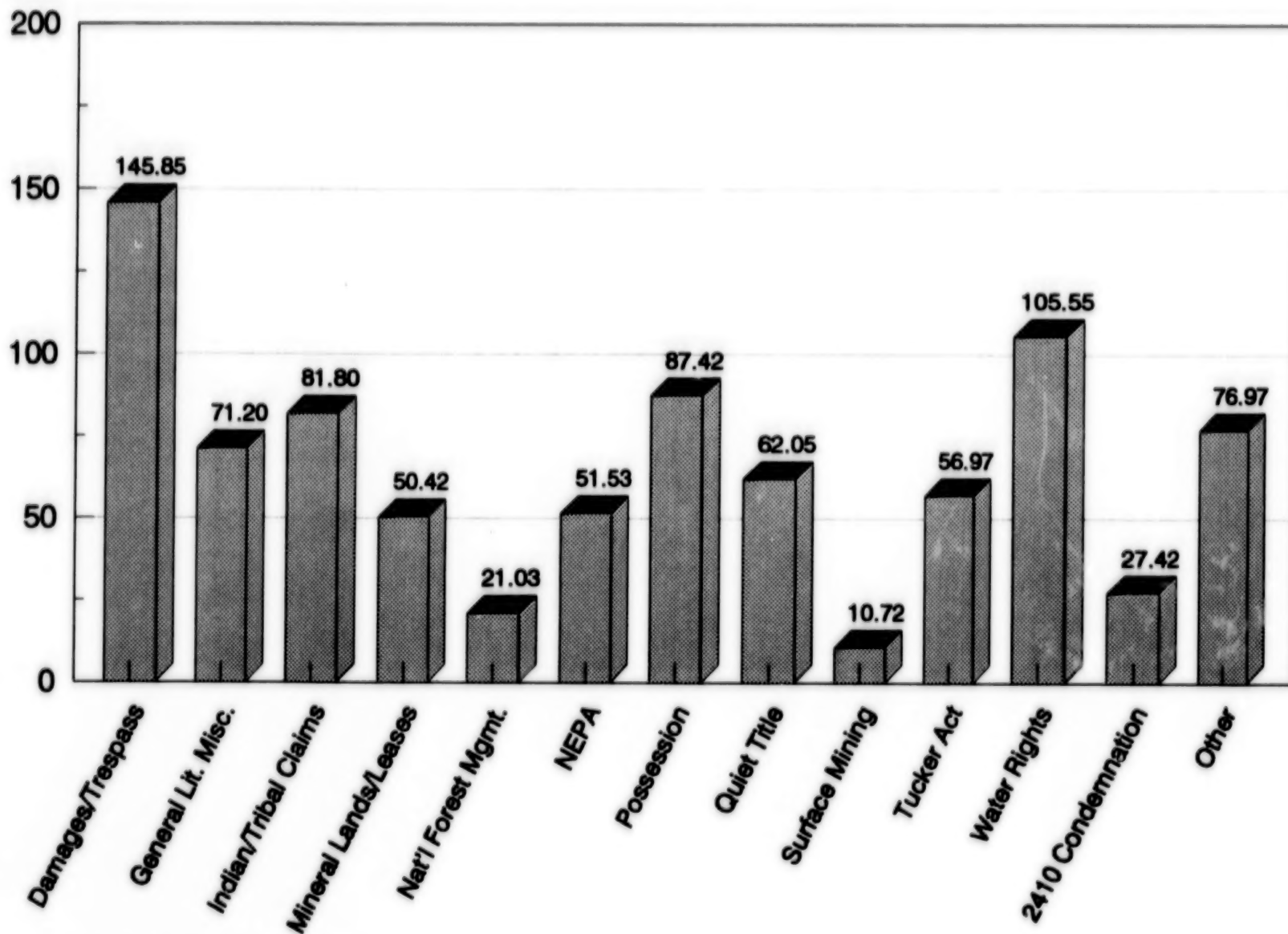
# ENVIRONMENTAL ENFORCEMENT SECTION AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN



Based on FY92 closings with 5 or more cases per category.



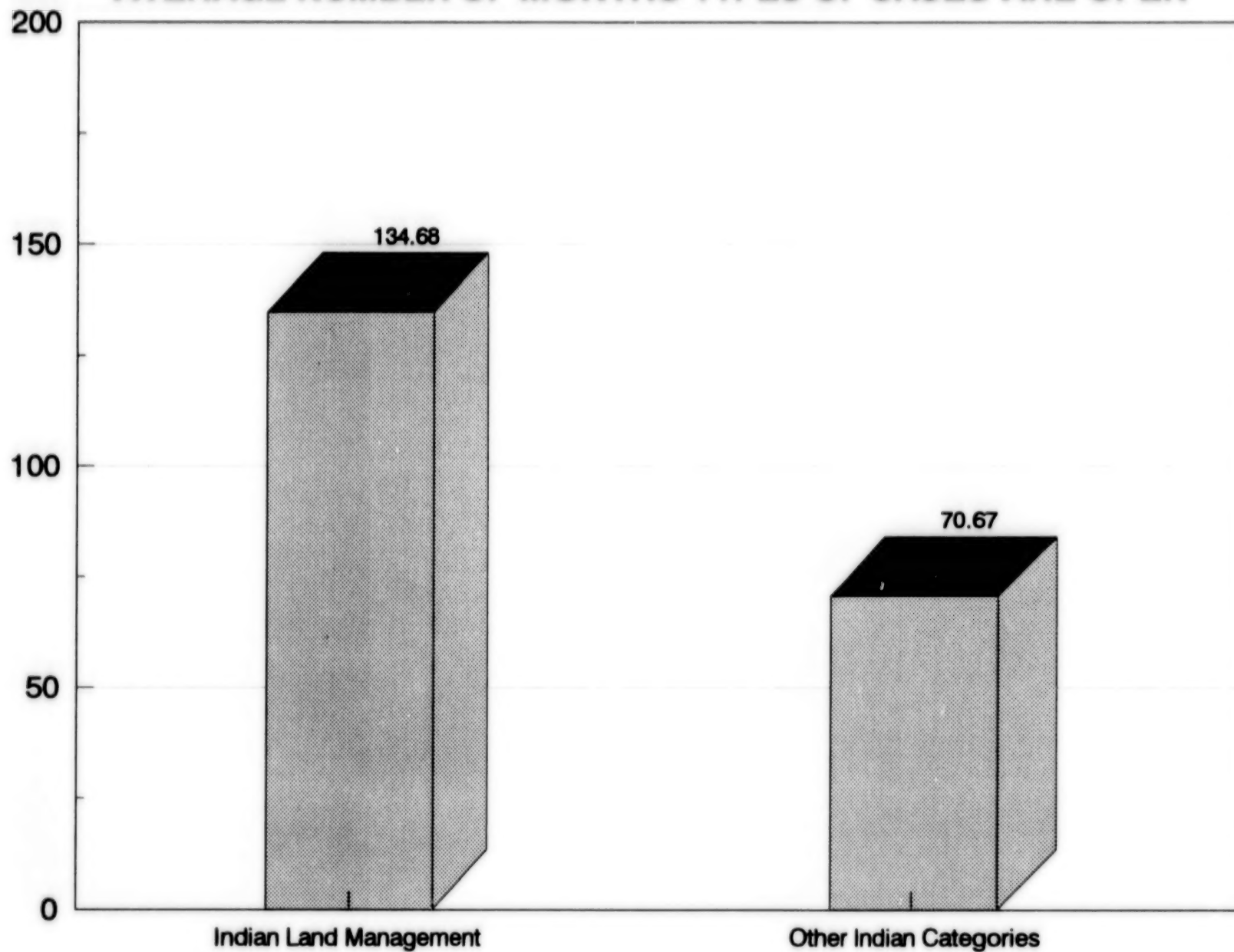
**GENERAL LITIGATION SECTION**  
**AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN**



Based on FY92 closings with 7 or more cases per category.

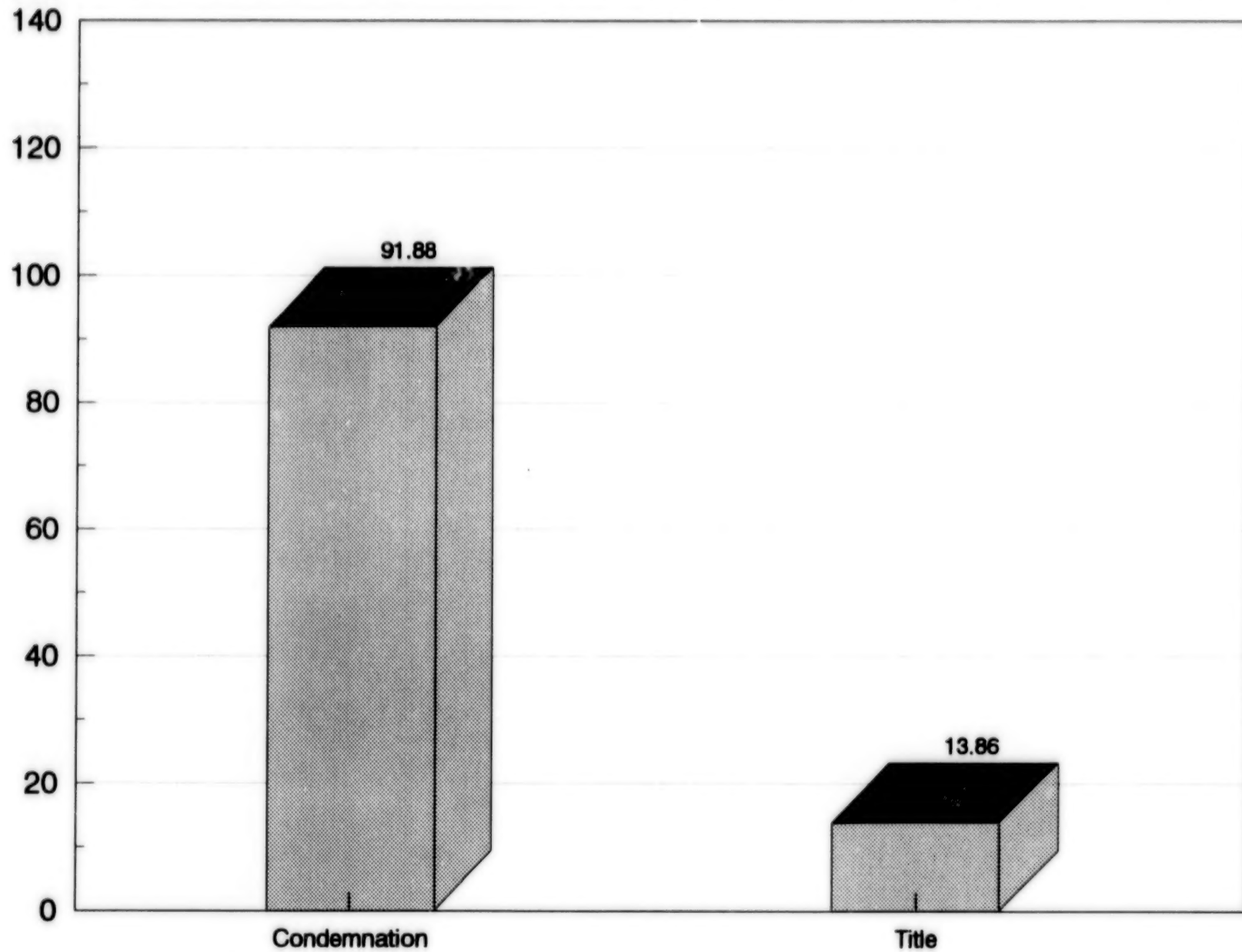
# INDIAN RESOURCES SECTION

## AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN



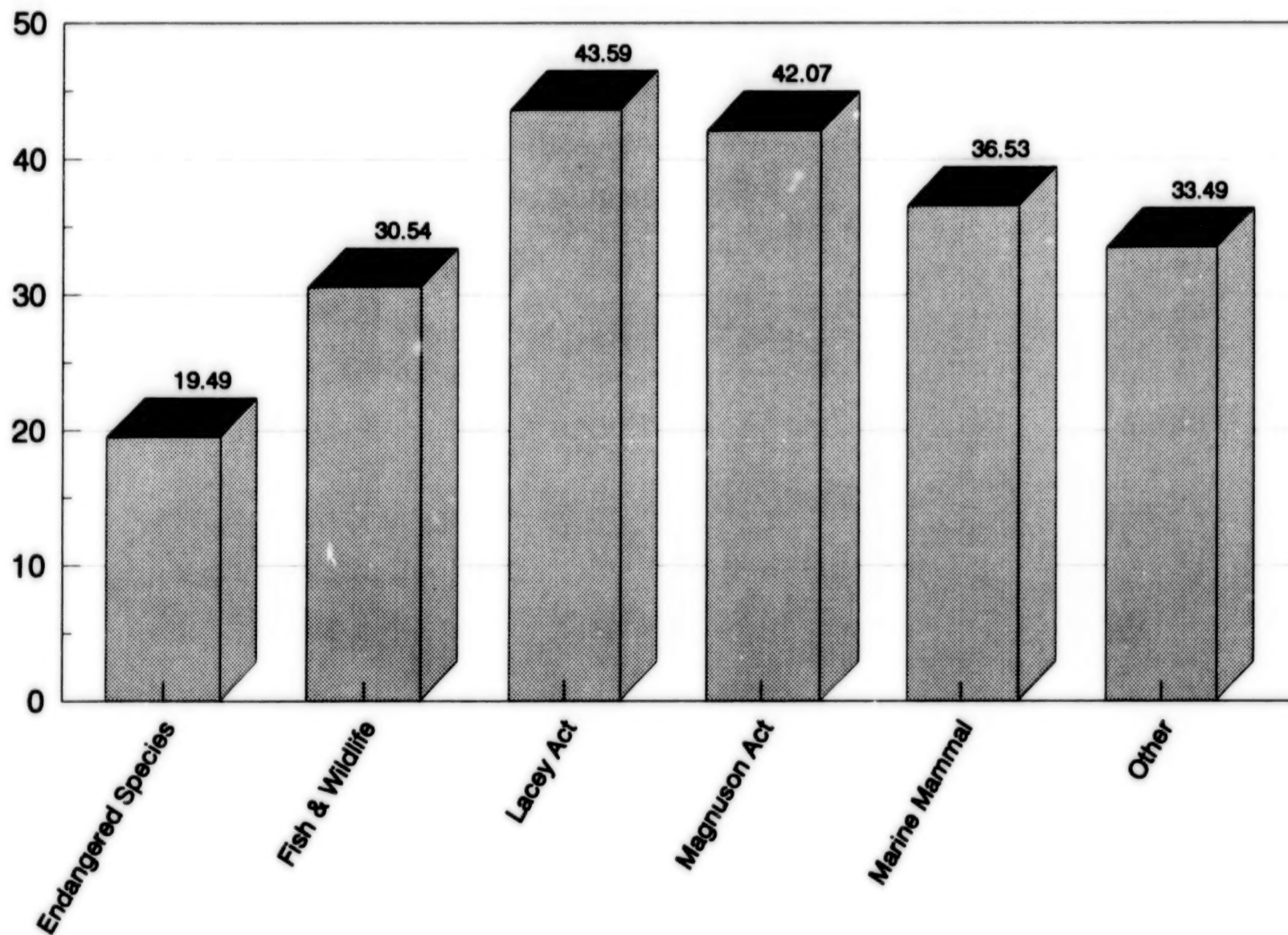
Based on FY92 closings with 7 or more cases per category.

**LAND ACQUISITION SECTION**  
**AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN**



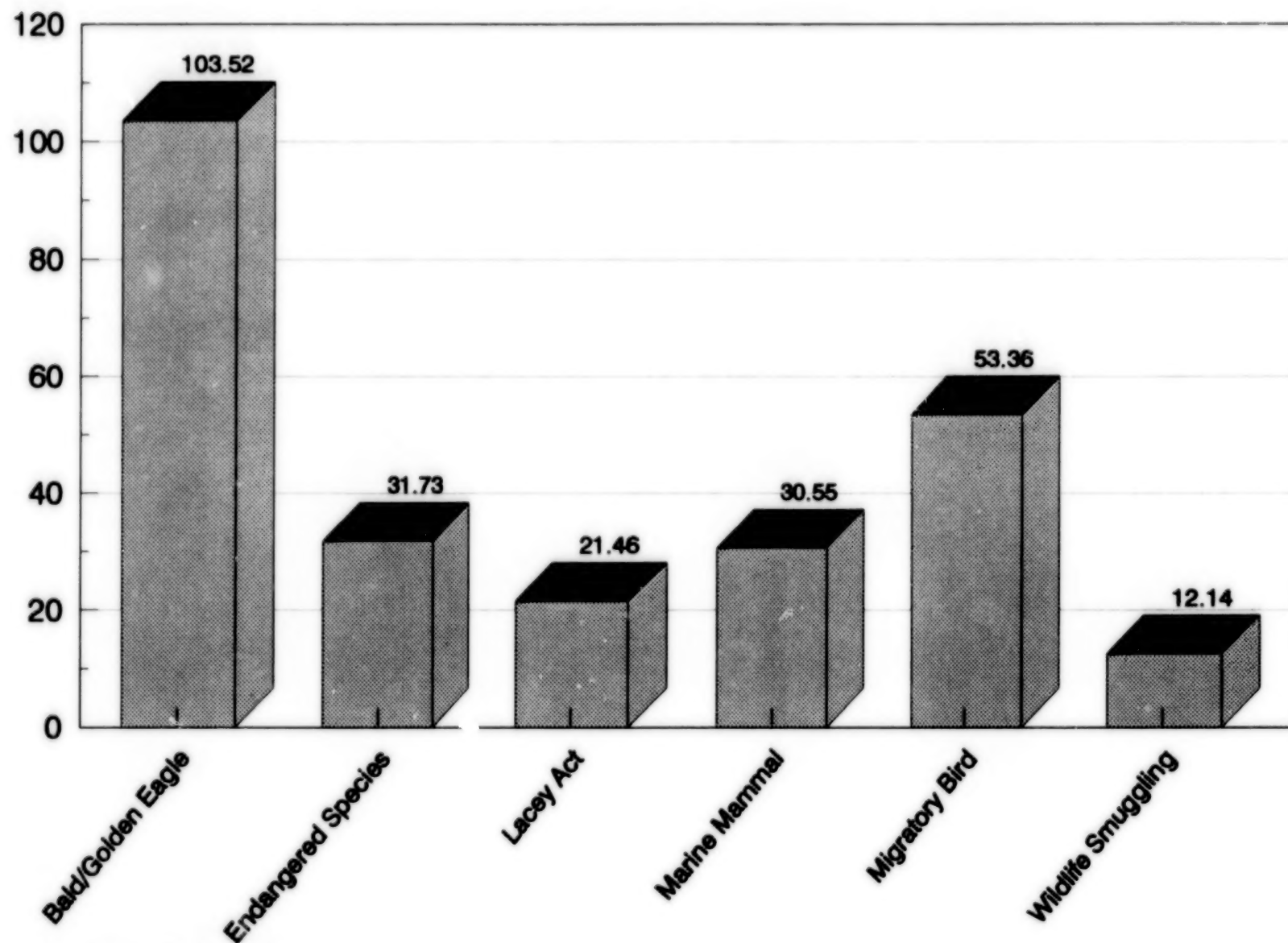
Based on FY92 closings.

**WILDLIFE AND MARINE RESOURCES SECTION  
AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN  
(CIVIL CASES)**



Based on FY92 closings with 4 or more cases per category.

**WILDLIFE AND MARINE RESOURCES SECTION  
AVERAGE NUMBER OF MONTHS TYPES OF CASES ARE OPEN  
(CRIMINAL CASES)**



Based on FY92 closings.



## **GLOSSARY**

### **CASE ASSIGNMENT TYPES:**

<i>Coordinated</i>	<i>An action that is shared between the Division and another legal division or an action that is shared between two or more Environment Division sections.</i>
<i>Direct</i>	<i>An action that is forwarded to the USAO directly from the client agency and is to be handled exclusively by the USAO.</i>
<i>Field</i>	<i>An action that is forwarded to the USAO by the Division and is to be handled exclusively by the USAO. These cases are monitored on a regular basis by the Division.</i>
<i>Joint</i>	<i>An action that is handled by both the Division and the USAO.</i>
<i>Low-Monitored</i>	<i>An action that is forwarded to the USAO by the Division and is to be handled exclusively by the USAO. These cases are minimally supervised or monitored by the Division.</i>
<i>Staff</i>	<i>An action that is handled exclusively by the Division.</i>
<b>CITIZEN ENFORCEMENT SUIT</b>	<i>A lawsuit filed by a person or organization against a non-federal-government polluter is included in the "citizen enforcement suit" category. A lawsuit filed by a person or organization against the United States or one of its agencies is included in the "civil, defensive" category.</i>
<b>MATTERS</b>	<i>Some legislative, congressional and policy issues, FOIA requests, and other actions which have not been filed or are not intended to be filed in court, but which have been entered in the case tracking system.</i>
<b>PENDING</b>	<i>Pending-begin and pending-end figures include cases and matters that have not been closed in the case tracking system.</i>
<b>PLSL SUPPLEMENTAL WORKLOAD</b>	<i>PLSL's cases and matters which are not in the Division's case tracking system.</i>
<b>SUPERFUND</b>	<i>Includes both billable and non-billable CERCLA cases.</i>

## **COMMENDATIONS**

*This report represents the combined effort of the Systems Group of the Executive Office along with each of the litigating sections within the Environment Division.*

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**END**

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